

# Chichester Local Plan 2021 - 2039

## Regulation 19 Representations (in Plan order)



## Support

**Document Element:** Chapter 1: Introduction, 1.1

**Respondent:** Berkeley Strategic Group (Mr Charlie Rollet-Manus) [7916]

**Summary:**

This representation has been submitted by Berkeley Strategic ("Berkeley") in response to the current consultation on the Regulation 19 Chichester Local Plan.

Berkeley control approximately 3.67 hectares acres of land to the south of Chichester. The site is located adjacent to Fishbourne Roundabout and is referred to in the Housing and Economic Land Availability Assessment as HFB0027. The site was previously included in Policy AL6 as part of a wider employment development parcel.

Berkeley support the preparation of the Local Plan and welcomes the opportunity to comment on the plan at this early stage of its preparation.

**Full text:**

This representation has been submitted by Berkeley Strategic ("Berkeley") in response to the current consultation on the Regulation 19 Chichester Local Plan.

Berkeley control approximately 3.67 hectares acres of land to the south of Chichester. The site is located adjacent to Fishbourne Roundabout and is referred to in the Housing and Economic Land Availability Assessment as HFB0027. The site was previously included in Policy AL6 as part of a wider employment development parcel.

Berkeley support the preparation of the Local Plan and welcomes the opportunity to comment on the plan at this early stage of its preparation.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Chapter 1: Introduction, 1.1

**Respondent:** Berkeley Strategic Group (Mr Charlie Rollet-Manus) [7916]

**Summary:**

Berkeley does not believe the Local Plan provides a suitable level of development around Chichester City and wishes to provide evidence that there is a greater number of suitable sites than is being proposed.

Evidence of this is provided in the relevant comments and the attached representation in full.

**Full text:**

Please see the attached document which provides Berkeley Strategic's representation to the emerging Local Plan in full.

**Change suggested by respondent:**

Berkeley does not believe the Local Plan provides a suitable level of development around Chichester City and wishes to provide evidence that there is a greater number of suitable sites than is being proposed.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Lawrence Farm Reg 19 Representations.pdf - <https://chichester.oc2.uk/a/s3x>

## Support

**Document Element:** Chapter 1: Introduction, 1.1

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Support in principle.

**Full text:**

The LP is supported. The district has been subject to inappropriate speculative developments without corresponding infrastructure and service improvements. Developments have been self-centred, failing to acknowledge consequences on the long-term attractiveness, viability and sustainability of the District. Each development has impacted the ability to provide enhancements and much-needed infrastructure.

To be sound the plan must meet NPPF tests and we find the plan sound in terms of it being reasonable and capable of being delivered. However it lacks soundness in terms of its vision and protection and enhancement of economic, heritage and environmental assets.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Rep 4109 Goodwood redacted - <https://chichester.oc2.uk/a/t8f>

## Support

**Document Element:** Chapter 1: Introduction, 1.1

**Respondent:** Mr David Lock and Ms Melanie Jenkins [7930]

**Agent:** Mr Jonathan Lambert [7926]

**Summary:**

This representation has been submitted by Berkeley Strategic ("Berkeley") on behalf of David Lock and Melanie Jenkins, who own approximately 40 acres of land to the north of Chichester known as Raughmere Farm (HELAA reference HLV0007).

Berkeley supports the Spatial Strategy, which seeks to focus a majority of growth at Chichester City given its status as the largest settlement and most sustainable location for development in the district, and its identification as a Sub-Regional Centre at the top of settlement hierarchy.

**Full text:**

This representation has been submitted in response to consultation on the Regulation 19 Chichester Local Plan by Berkeley Strategic ("Berkeley") on behalf of David Lock and Melanie Jenkins who own approximately 40 acres of land to the north of Chichester known as Raughmere Farm.

The land at Raughmere Farm is located adjacent to the built up edge of the city and is referred to in the Housing and Economic Land Availability Assessment as HLV0007. The site has previously been promoted as a suitable location on the edge of Chichester City for a development of circa 140 dwellings.

Berkeley support the preparation of the Local Plan and welcomes the opportunity to comment on the plan at this early stage of its preparation.

Please see attached representations made on behalf of David Lock and Melanie Jenkins in full.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Raughmere Farm Reg 19 Representations Final.pdf - <https://chichester.oc2.uk/a/s47>

**Document Element:** Chapter 1: Introduction, 1.1

**Respondent:** Mr Simon Davenport [7100]

**Summary:**

.CDC should provide a local plan that balances the needs of the local residents and the preservation of the environment and does not create or exacerbate any possible environmental damage caused by pollution and energy use.

**Full text:**

.CDC should provide a local plan that balances the needs of the local residents and the preservation of the environment and does not create or exacerbate any possible environmental damage caused by pollution and energy use.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Chapter 1: Introduction, 1.1

**Respondent:** Mr Paul Bedford [5302]

**Summary:**

The Legal status of the Plan is proven but because of the protracted course of the plan's preparation some stages are now dated and raise the question that they should be refreshed. This is the particular case in respect of public participation. There have also been significant changes in legislation that guides the plan's formulation that would have benefited from revised statement of legislative/legal context.

**Full text:**

These comments are confined to the three areas set out in the consultation - Legal, Soundness and Duty to Cooperate and to two documents - the draft Local Plan and the Sustainability Assessment.

**Legal Status**

The Legal status of the Plan is proven but because of the protracted course of the plan's preparation some stages are now dated and raise the question that they should be refreshed. This is the particular case in respect of public participation. There have also been significant changes in legislation that guides the plan's formulation that would have benefited from revised statement of legislative/legal context.

**Soundness**

In the SA it is stated that the key issue for the plan is the A27 and its capacity. This statement is fundamental in that it is realistically outside the scope of the local planning authorities (CDC and West Sussex CC) to have any direct control over. Unless National Highways position is changed from their previous statements on time scales and what might be included in their assessment no consideration of A27 will be made until RIS3 taking any even initial action into the next decade.

So fundamental and influential is the A27 that assessment of Local Housing Need (LHN), a key component of the whole plan, is reduced from 638 units pa to 535. This position must have an impact on the plan's 'Soundness and crucially the phasing of development.

It is worthy of note that three recent housing appeal decisions unfortunately focused primarily on the lack of a 5yr housing supply base on the 638 higher figure. More pressing were issues of sewage system capacity, coastal inundation and fluvial flooding and nutrient neutrality.

The reduction of housing requirements that the Reg19 LP now promotes is very welcomed.

The reduction on the Manhood Peninsula appears to be derived because of recent housing approvals on appeal bringing forward housing that achieves the revised target based on the 535 figure. Two points arise none of these sites are in locations that CDC indicated in documents such as the HELAA and SHELAA as positively sustainable and as all other significant Peninsula housing is dropped do these sites exceed what would have been planned totals.

The SA 'Framework' only addresses 'Water- protection of resources' this is highly appropriate given the problems experienced in the north eastern part of the district in the summer of 2022 and will become more pressing in the south. Resolution of this issue that stopped planning applications seems to be by reducing water usage at least to 110 ltr ppd or lower this is when Southern Water only hope to achieve 125ltr by 2050.

Consideration in the framework should extend to the 'Water Cycle' and particularly address the acute problems of

sewage system network capacity, polluting WWTW outfalls, nutrient neutrality. These systems are already currently stressed/ completely overloaded with current levels of use without new development coming on stream and discharges of untreated sewage are a significant and growing problem to Chichester, Langston and Pagham Harbours- this situation must be set against Defra- Storm Overflow Discharge Reduction Plan's statement "Protecting the Environment-water companies shall only be permitted to discharge from a storm overflow where they can demonstrate that there is no local ecological impact". Damage to Chichester/ Langstone Harbours is documented by a damning Natural England report and by that expected for Pagham Harbour all the sites of national significance for biodiversity and protected habitats. Whilst para 5.2.34 and Box 5.1 of the SA summarise the position no direct statement of intervention is made. Reliance on a 'Statement of Common Ground that is referred to offers no positive programme of future capital investment by Southern Water (SW) especially when set against SW's overall regional programme its cost and priorities as set out in their draft DWMP-the final version of which is due for release in March this year- does the Plan reflect this documents information that is so crucial to supporting the infrastructure need for the scale of development envisaged is challenging to the plan's 'Soundness'

Time scale of the crucial improvements to infrastructure and particularly sewer and IWWTW capacity is of particular concern. SW's Drainage and Wastewater Management Plan v1 May 2020 set out in very comprehensive way what needs to be achieved and indication of time scale -placing most in AMP8 the next 5 yr business cycle and OFWAT approval would be needed for the scale of expenditure that is many hundred of millions. These time scale constraints should be reflected in the phasing of any housing development that will have to utilise the network. There is no direct indication that such phasing will be actively enforced.

The lack of inclusion in a key background supporting document -Strategic Flood Risk Assessment (SFRA) -of the Planning Practice Guidance on Flood Risk and Coastal Change that has important bearing on issues particularly for the southern plan area and specifically mentions the importance of the phasing of development to infrastructure provision is a concern especially when it was published in August 2022. These omission again have an impact on the Plan's overall 'Soundness'.

A significant consideration in the plan that supports the need for more housing supply is the need to address affordability. The district has one of the highest ratio of median earnings to house prices of 14 times and despite substantial house building during the period 2013 -2022 the ratio has increased from 10.55. It is clear that the type of housing that has occurred and continues to be proposed in the district has done little if anything to impact on affordability and address the need for social/lower cost housing. Based on the 2011 census the district experienced 1,505 inward migration( only Brighton and Hove being higher in the West Sussex/ Gt Brighton area) - this trend has been expected to have continued and accelerated as the pandemic increased the popularity of coastal property and raised market cost of property. Just building more houses without policy intervention to prioritise social shared ownership housing will most probably prove to further increase the extent of unaffordability with the resultant consequences on workforce -especially to support the district ageing population- and supporting young people to remain in the area they have grown up in or have come to be educated. This aspect is cause concern over the Plan's 'Soundness'.

Considerable emphasis is placed on the issues of nutrient neutrality, damage to biodiversity and pollution of Chichester Harbour AONB but such emphasis is not extended to Pagham Harbour that has a similar ecological status to Chichester and suffers the same degradation issues.

Although Pagham is outside of the nutrient protection zone the factors contributing to nutrient problems are apparent feeding into Pagham. The delayed report on condition for Pagham from Natural England mirroring that for Chichester Hb gives every indication it will indicate the same levels of detriment as those in Chichester Hb. This assumption being supported by condition reports for instance for rife and ditch condition known reports. Added to these factors are known issues relating to untreated discharges from Sidlesham WWTW. The Local Plans's lack of affording Pagham similar consideration to Chichester Hb is an issue that impacts on the Local Plan's overall 'Soundness'.

#### Duty to cooperate

The West Sussex and Greater Brighton Strategic Planning Board (WSGBSPB) provides a context for integrated planning along the coast plain area. It is stated that this board is due to issue a review of its 2016 report next month -does the Plan address any issues that this review may raise? . Housing needs are a major feature of the area and the need to transfer unmet housing demand to adjoining authorities is characteristic feature of past policy.. The SA quite categorically states that there would be no realistic potential to meet unmet housing need above the now established LHN figure. Should the WSGBSPB's report signal the need for the district to absorb housing from other areas there may be problems as the Plan does not appear to offer any contingency or process how such pressure might be mitigated.

The highly restricted housing numbers in the South Downs National Park Local Plan and the closeness of its boundary to the 'coastal strip' are contributing factors to the area's carrying and overall capacity to support development. Further constraint is imposed by the Chichester Harbour Area of Outstanding Natural Beauty ( AONB) and the geographical physical restrictions of the Manhood Peninsula creating 'coastal squeeze'.

#### Change suggested by respondent:

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

## Object

**Document Element:** Chapter 1: Introduction, 1.1

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

Overall, we feel that CDC should be meeting their identified housing need and we disagree with the Council's justification on meeting a sub-identified need that there is insufficient capacity (due to constraints) within parts of the District.

Furthermore, we feel that the Plan is unsound. It does not adequately meet current housing need. House prices in the Chichester District are 14 times the average earnings for those working within it and there is a need for 200 social and affordable rented houses per annum for the Plan period to 2039.

**Full text:**

Overall, we feel that CDC should be meeting their identified housing need and we disagree with the Council's justification on meeting a sub-identified need that there is insufficient capacity (due to constraints) within parts of the District.

Furthermore, we feel that the Plan is unsound. It does not adequately meet current housing need. House prices in the Chichester District are 14 times the average earnings for those working within it and there is a need for 200 social and affordable rented houses per annum for the Plan period to 2039.

**Change suggested by respondent:**

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**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

March 23 Reg 19 reps Chichester District Council RHL - Final.pdf - <https://chichester.oc2.uk/a/s8b>

## Object

**Document Element:** Chapter 1: Introduction, 1.1

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

These representations raise significant concerns that the plan as drafted, in particular the housing delivery strategy, risks being found 'unsound' on the grounds of failing to be positively prepared and lacking a fully considered highways evidence base. We believe the changes outlined above with regards to reflecting OAN and adding realistic capacity and specificity to the proposed allocation in Southbourne will help address these concerns.

**Full text:****REPRESENTATION SUMMARY**

CDC fails on a number of counts to provide a sound reason for constraining development delivery to 535 dwellings per annum. We find that the Council's failure to adhere to the OAN on the basis of ineffective evidence results in plan that has not been positively prepared and adopts a strategy that is not justified. We believe the plan is capable promoting a greater level of housing delivery which will, in turn, help bring the estimated infrastructure contribution per dwelling to a more deliverable and realistic level.

This representation provides continued support and draft policy context for the development on land east of Southbourne. We consider it to provide a suitable and sustainable location for large-scale strategic residential growth and substantial associated infrastructure improvements.

The area was due for allocation within the Southbourne Neighbourhood Plan, having been initially allocated 1,250 dwellings on 'land east of Southbourne', prior to its removal post Examination (based on concerns of the Examiner over a pre-emption of the emerging local plan). Importantly, the Examiner did not conclude that the proposed allocation was unsustainable for growth or inappropriate in size, but simply that the timing of the Neighbourhood Plan was too early against the emerging Local Plan timetable which had unfortunately been delayed.

We continue to recommend that the land east of Southbourne (Policy A13 in the emerging LP) provides the most appropriate location for development at Southbourne. Indeed, the land to the east of the settlement was chosen as the most appropriate location, as opposed to the land to the west which is more constrained by the A27 and would likely result in amalgamation with the settlement of Emsworth.

We consider that the increase in the quantum of development at Southbourne from 1,050 to c1,250 not only ensures the highest level of community enhancements and infrastructure improvements for Southbourne and the wider area but also helps mitigate certain aspects of the emerging plan that risk being found unsound, including the potential for delays in housing delivery across the largest strategic sites and the potential for Chichester District to accommodate unmet need across neighbouring authorities (and within SDNP).

Considering the above, and in terms of specific policy amendments, we recommend the following policies be reworded to ensure the plan's overall soundness:

Policy H1 – Meeting Housing Needs – The housing requirement (10,350) for the plan period 2021-2039 must reflect Objectively Assessed Need to avoid the risk of failing to be seen as positively prepared. The evidence base on which the justification for a reduction in housing delivery is flawed and not credible. The plan fails the tests of soundness to this regard and Policy H1 should be amended in line with a reassessment of highway constraints.

Policy H2 – Strategic Locations/Allocations 2021-2039 – The quantum of development at Southbourne (A13) should be 1,250 to reflect the conclusions of the sustainability appraisal, the capacity within the land east of Southbourne and the importance in bringing forward all infrastructure improvements to the village and wider area.

Policy A13 – Southbourne Broad Location for Development - In line with the above, the total number of dwellings allocated to Southbourne should be 1,250. Further, it is recommended that a specific location is selected within Southbourne, to align with all other allocations within Chapter 10 and to avoid a significant risk to the delivery of housing. No rationale is presented as to why development in Southbourne should be delayed until the adoption of a subsequent DPD or Neighbourhood Plan. The long-term assessment and findings of the Neighbourhood Plan group and the plan examiner remain sound and should be respected and reflected in a specific and precise housing allocation for the village. We recommend this policy is rewritten to allocate 1,250 dwellings on land east of Southbourne and to align with the comprehensive masterplanning exercise that has been completed to-date.

These representations bring to light a number of recommended reconsiderations with regards to the emerging local plan, these include a reassessment of the quantum of development in Southbourne, the mechanism for infrastructure funding and delivery, the contingency planning around wastewater treatment capacity and the supporting of Vision & Validate as an approach for encouraging safe, efficient and sustainable transport.

For the reasons outlined throughout, these representations also raise significant concerns that the plan as drafted, in particular the housing delivery strategy, risks being found 'unsound' on the grounds of failing to be positively prepared and lacking a fully considered highways evidence base. We believe the changes outlined above with regards to reflecting OAN and adding realistic capacity and specificity to the proposed allocation in Southbourne will help address these concerns.

**Change suggested by respondent:**

Considering the above, and in terms of specific policy amendments, we recommend the following policies be reworded to ensure the plan's overall soundness:

Policy H1 – Meeting Housing Needs – The housing requirement (10,350) for the plan period 2021-2039 must reflect Objectively Assessed Need to avoid the risk of failing to be seen as positively prepared. The evidence base on which the justification for a reduction in housing delivery is flawed and not credible. The plan fails the tests of soundness to this regard and Policy H1 should be amended in line with a reassessment of highway constraints.

Policy H2 – Strategic Locations/Allocations 2021-2039 – The quantum of development at Southbourne (A13) should be 1,250 to reflect the conclusions of the sustainability appraisal, the capacity within the land east of Southbourne and the importance in bringing forward all infrastructure improvements to the village and wider area.

Policy A13 – Southbourne Broad Location for Development - In line with the above, the total number of dwellings allocated to Southbourne should be 1,250. Further, it is recommended that a specific location is selected within Southbourne, to align with all other allocations within Chapter 10 and to avoid a significant risk to the delivery of housing. No rationale is presented as to why development in Southbourne should be delayed until the adoption of a subsequent DPD or Neighbourhood Plan. The long-term assessment and findings of the Neighbourhood Plan group and the plan examiner remain sound and should be respected and reflected in a specific and precise housing allocation for the village. We recommend this policy is rewritten to allocate 1,250 dwellings on land east of Southbourne and to align with the comprehensive masterplanning exercise that has been completed to-date.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

27783 A5 Regulation 19 Reps Final w Appendices.pdf - <https://chichester.oc2.uk/a/s93>

## Support

**Document Element:** Chapter 1: Introduction, 1.1

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

The RSPB thanks Chichester District Council for the opportunity to comment on its Regulation 19 Submission of the Local Plan. The RSPB has many important interests and priorities within the district, including the Eastern Solent and Arun Valley and the internationally important designations within. The RSPB regards the protection and enhancement of the SPAs, SACs, and their associated and surrounding SSSIs as being among the highest priorities for our work nationally.

**Full text:**

Thank you for consulting the Royal Society for the Protection of Birds (RSPB) on the above document. We have received the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) ("the Local Plan") document and would like to provide the following comments of the 'soundness' of the Local Plan.

The Chichester District area lies within the Eastern Solent and Arun Valley, a Focus Area of work for the RSPB. This is one of our highest priority places in the UK for the promotion of conservation at a landscape-scale, adopting the principles advocated by the Lawton report Making Space for Nature (2010) , which recommended (in simple terms) more, bigger, better and more joined up protected areas.

A substantial part of the Council's area boundary is subject to a wide range of statutory nature conservation designations. This includes (but not limited to) the Arun Valley Special Protection Area (SPA), Chichester and Langstone Harbours SPA, Pagham Harbour SPA, Medmerry Compensatory Habitat, and Solent and Dorset Coast SPA; Arun Valley Special Area of Conservation (SAC) and Solent Maritime SAC; and a number of Sites of Special Scientific Interest (SSSIs). The RSPB regards the protection and enhancement of the SPAs, SACs, and their associated and surrounding SSSIs as being among the highest priorities for our work nationally.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



**Document Element:** Chapter 1: Introduction, 1.1

**Respondent:** Mr Matthew Taylor [7977]

**Summary:**

The strategy of the Plan has changed in such a way that that the public should have an opportunity to comment on those changes before a Reg 19 consultation. As we can only comment on tests of soundness there is not an opportunity for appropriate public engagement. There is not an opportunity to comment on new allocations, the suitability of the sites, or content of the policy. it is not felt that there is an intention for meaningful engagement.

We cannot make comments on new allocations, or changes to strategy i.e. introducing Gypsy and Traveller sites on all allocations at a Reg 19 stage of a Local Plan. It feels as though the Plan has been rushed through in order to tick boxes rather than producing a Plan where the public can meaningfully comment and shape our communities.

**Full text:**

I would question whether the Plan should be a Reg 19 consultation. The Plan contains changes to strategy and approach which the general public have not had the opportunity to comment on. As this is a 'technical consultation' where we can only comment on issues relating to the test of soundness it hardly gives the general public an opportunity for genuine public engagement.

The strategy of the Plan has changed for example:

- removal of all allocations on the Manhood Peninsula
- the identification of additional sites i.e. Maudlin Farm , Rolls Royce etc with no opportunity to comment on their suitability or policy requirements
- the inclusion of Gypsy and Traveller sites on all allocations again without an opportunity to comment on the suitability of this approach or policy requirements
- amendments to the wildlife corridors without an opportunity to comment on this. Given that changes now enable development in some areas ie Maudlin this could be seen as a cynical move.

**Change suggested by respondent:**

The Plan should be paused and time given for public engagement at a meaningful level.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Chapter 1: Introduction, 1.1

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1billion pounds and employs more than 10,000 full time equivalent staff.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8th March 2023 redacted - <https://chichester.oc2.uk/a/t67>

## Object

**Document Element:** Chapter 1: Introduction, 1.2

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

This plan appears to contradict the DPD. It should be noted that where a new DPD is adopted it will take precedence over this document. My comment is generated in response to Bosham site Allocation which is not sound.

**Full text:**

This plan appears to contradict the DPD. It should be noted that where a new DPD is adopted it will take precedence over this document. My comment is generated in response to Bosham site Allocation which is not sound.

**Change suggested by respondent:**

As above. new DPD should come before this document is approved. The site allocations are not sound and possibly not compliant - see comments elsewhere.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Chapter 1: Introduction, 1.2

**Respondent:** Manhood Peninsular Action Group (Mrs Joan Foster, Chairman) [7874]

**Summary:**

There has not been sufficient, recent public consultation. The last stage was in January 2019 on the Preferred Option as confirmed by the latest Statement of Community Involvement published in November 2018. Neither has there been published a Statement

of Common Ground. It is recommended that this be published at same time as Regulation 19 i.e. Proposed Submission of Draft Local Plan [Feb 2023]. Much has changed in four years, including government commitments to tackle Climate Change and Sustainable Transport.

Water, sewerage, sea level rise, pollution have all worsened all of which must be taken into account

**Full text:**

There has not been sufficient, recent public consultation. The last stage was in January 2019 on the Preferred Option as confirmed by the latest Statement of Community Involvement published in November 2018. Neither has there been published a Statement of Common Ground. It is recommended that this be published at same time as Regulation 19 i.e. Proposed Submission of Draft Local Plan [Feb 2023]. Much has changed in four years, including government commitments to tackle Climate Change and Sustainable Transport.

Water, sewerage, sea level rise, pollution have all worsened all of which must be taken into account

**Change suggested by respondent:**

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**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Outline of Objection - <https://chichester.oc2.uk/a/smg>

## Object

**Document Element:** Chapter 1: Introduction, 1.2

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1billion pounds and employs more than 10,000 full time equivalent staff.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t9r>

## Support

**Document Element:** Chapter 1: Introduction, 1.3

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

Support

**Full text:**

Support

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t9s>

## Support

**Document Element:** Purpose of the Plan, 1.4

**Respondent:** Birdham Parish Council (Mr Timothy Firmston, Chairman) [7968]

**Summary:**

Support for whole plan policy

**Full text:**

Support for whole plan policy

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Whole Plan Policy - <https://chichester.oc2.uk/a/s6r>

## Support

**Document Element:** Purpose of the Plan, 1.4

**Respondent:** West Itchenor Parish Council [1621]

**Agent:** West Itchenor Parish Council (Carol Smith, Parish Clerk) [1036]

**Summary:**

West Itchenor Parish Council wishes to register its support for the current Local Plan.

**Full text:**

West Itchenor Parish Council wishes to register its support for the current Local Plan.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Purpose of the Plan, 1.4

**Respondent:** Hallam Land Management Limited [1696]

**Agent:** LRM Planning Ltd (Miss Kate Coventry, Senior Planner) [6627]

**Summary:**

The NPPF states at paragraph 22 that strategic policies should look ahead over a minimum 15 year period from the date of the Plan's adoption. The Local Plan aims to cover the period of 2021- 2039, which is 18 years. However, this plan has not been adopted yet and it is considered unlikely that this Local Plan will be adopted before 2024-25. Therefore, the Plan may not cover the required plan period of 15 years and the Council should extend the plan period to at least 2040 to ensure this requirement is met.

**Full text:****1 Introduction**

1.1 These Representations have been prepared on behalf of Hallam Land Management Limited (hereafter 'Hallam'), in response to the Chichester Local Plan Review Proposed Submission Plan consultation.

1.2 Hallam is a strategic land promotion company operating throughout England, Wales and Scotland delivering land for new employment and commercial premises, housing, including specialist elderly housing, and mixed-use developments. Hallam has been acquiring, promoting, developing and trading in land since 1990. During that time, the company has established an outstanding record in resolving complex planning and associated technical problems in order to secure planning permissions for a whole range of different land uses to facilitate the delivery of new development.

1.3 Hallam control land to the west of Southbourne, to the north of the A259 and south of the railway line. Development of this land for new housing including specialist elderly accommodation, as shown in the accompanying Vision Document, would be consistent with the established Spatial Strategy; which is rightly retained in the consultation document. Similarly, development would contribute towards meeting the future housing needs of the District within the proposed Broad Location for Development (BLD) at Southbourne.

1.4 These Representations set out our support for the BLD drawn on the key diagram to the west and east of Southbourne. However, Hallam are seeking amendments to Policies S1, H1, H2, H8 and A13 to ensure that: the overall housing needs are met across the District, including early delivery and specialist accommodation; the flexibility sought early in the Submission Plan, at Policy S2 and H1, is carried through to the strategic allocations and locations; and, the BLD is distributed to the west and east of Southbourne.

1.5 Moreover, Hallam are proposing the allocation of small and medium scale sites at Southbourne within the Local Plan, to enable early delivery of housing and infrastructure, with the land under their control a suitable site for this allocation. Should the Council not allocate these sites, then the strategic allocations/locations policies need to be updated to reflect the requirement for the delivery of small and medium scale parcels which could form part of the larger sites.

1.6 In the context of the above, it is instructive to note that Chichester District has an older population than national average, which has been predicted to increase by 42% between 2021- 2039. The increasing need for specialist accommodation should be addressed through specific allocations within the Local Plan, rather than the proposed approach of Policy H8.

1.7 Our response is focused on the following matters:

- The Spatial Strategy, settlement hierarchy and the distribution of development across the District;
- The overall amount of new housing required within the new plan period;
- The need for specialist accommodation;
- The status of Southbourne and the role and function it plays; and
- The strategic allocation proposed at Southbourne in Policy AL13.

1.8 In preparing the Local Plan Review, the Council will need to ensure that it complies with paragraph 35 of the National Planning Policy Framework (NPPF) (2021) which sets out four tests to ensure the plan is 'sound'. These are as follows:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet needs from neighbouring areas are accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross- boundary strategic matters that have been dealt with rather than deferred, as evidenced by statements of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.9 We are mindful that the Government has recently published a consultation concerning potential amendments to the NPPF. Paragraph 1 of that consultation document indicates that the government is committed to "building more homes" whilst Paragraph 6 explains that the government "remains committed to delivering 300,000 homes a year by the mid-2020s".

1.10 In the proposed revisions, paragraph 1 makes clear that the NPPF provides "a framework within which locally-prepared plans can provide for sufficient housing and other development in a sustainable manner." At paragraph 60 the overall aim of a Local Plan is identified as meet[ing] as much housing need as possible with an appropriate mix of

housing types to meet the needs of communities.

1.11 It is clear therefore that the potential amendments to the NPPF firmly intend that Local Plans, including this one, continue to provide a sufficient supply of housing land to meet identified needs.

## 2 Objectives and Spatial Strategy

### Objectives of the Local Plan

2.1 The Submission Plan has identified key challenges and opportunities that influence future planning, across the three areas of the District, and how it aims to address these through planning policies and proposals.

2.2 Within the consultation document, the strategic objectives presented by the Council are structured into specific categories, ensuring housing and neighbourhood objectives are clearly set out for the plan period.

2.3 Amongst these is the objective to increase housing supply; increase provision of affordable housing; and promote the development of mixed, balanced and well-integrated communities. These are consistent with the NPPF's policy objective to significantly boost the supply of housing in paragraph 60. In this context, it is right that the Local Plan's development strategy is founded on this objective, ensuring sustainable development which responds to social, economic and environmental considerations that meets the needs of the plan area.

2.4 These objectives frame the policies and proposals for future development across the plan area to create sustainable neighbourhoods; this demonstrates, as a matter of principle, that the Local Plan intends to be positively prepared and justified, albeit there are limitations on how this is achieved in practice when the policies and proposals are considered.

2.5 The NPPF states at paragraph 22 that strategic policies should look ahead over a minimum 15 year period from the date of the Plan's adoption. The Local Plan aims to cover the period of 2021- 2039, which is 18 years. However, this plan has not been adopted yet and it is considered unlikely that this Local Plan will be adopted before 2024-25. Therefore, the Plan may not cover the required plan period of 15 years and the Council should extend the plan period to at least 2040 to ensure this requirement is met.

#### Policy S1: Spatial Strategy

2.6 The Spatial Strategy is accompanied by the Key Diagram (Map 3.1), identifying the distribution of development and infrastructure provision across the plan area.

2.7 The strategy aims to build on the existing Local Plan, focusing growth at Chichester city, as the main sub-regional centre, and at two settlement hubs along the east-west corridor at Tangmere and Southbourne.

2.8 Policy S1 specifically identifies the broad approach to providing sustainable development, in accordance with the Local Plan Objectives, ensuring development is focused principally along the east-west corridor. It aims to distribute development in line with the settlement hierarchy, ensuring development is located in the larger and more sustainable settlements.

2.9 This accords with paragraph 20 of the NPPF which requires strategic policies to set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for housing, infrastructure, community facilities along with policies that seek to conserve and enhance the environment.

2.10 Paragraph 105 of the NPPF states that the planning system should actively manage patterns of growth in support of these objectives. With significant development being focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

2.11 Paragraph 69 of the NPPF sets out how small and medium scale sites can make an important contribution to meeting the housing requirement. Part d) identifies how working with developers to encourage the sub division of large sites could help to speed up the delivery of homes.

2.12 In this context, Policy S1 (6) outlines how non-strategic provision is made for small scale housing developments consistent with the indicative housing numbers set out in Policy H3, however this does not identify an approach to medium scale sites. Consequently, the Local Plan should allocate small and medium scale sites for residential development.

2.13 Should the Local Plan not allocate these scale sites, then there should be parcels within the BLDs identified as medium scale sites for early delivery in the plan period without prejudicing the BLDs. Policy S1 should be amended to include medium scale sites and to require flexibility to the housing target. This is discussed further in respect of Policy A13.

2.14 Policy S1 (7) states that strategic allocations and locations will be made through either this emerging Local Plan, the extant Site Allocation Development Plan 2014-2019 (or subsequent Site Allocation Development Plan Document (DPD)) and through Neighbourhood Plans. Notwithstanding the allocations in the emerging Local Plan, the most appropriate future mechanism is the Site Allocations DPD, which has to meet the 'tests of soundness' rather than 'basic conditions'. This more rigorous approach to plan making is better able to address the site selection process and assessment of

delivery requirements that a strategic allocation will need to demonstrate, particularly when taking account of the scale of growth proposed at Southbourne.

2.15 Lastly, the final paragraph of Policy S1 states that to ensure that the Plan's housing requirement is delivered, "the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in accordance with this Strategy". The wording of this should be amended to state flexibility will be needed rather than may be needed, to ensure there is the ability to mitigate delays on allocations being brought forward by alternative proposals in order to meet the housing requirement over the plan period.

2.16 The use of the Authority Monitoring Report to control this is considered an acceptable approach, and policies A6 to A15 should reflect this requirement for flexibility. In practical terms, the LPA will need to consider performance in bringing forward and delivering large-scale development and enable alternative solutions where the required outcomes are not being achieved. This is discussed later in relation to Policy A13 specifically.

Policy S2: Settlement Hierarchy

2.17 The consultation document sets out a Settlement Hierarchy which is to serve as the framework for the Council to achieve its vision for the plan area, meet the scale of development required and enhance the quality of the built natural, historic, social and cultural environments, whilst sustaining the vitality of communities. This hierarchy seeks to deliver sustainable development that will support the role and function of different places within the plan area.

2.18 In this regard, Policy S2 is consistent with the NPPF acknowledging how "significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, improve air quality and public health." (paragraph 105 refers). The Settlement Hierarchy ensures that new development is located in areas where residents have access to facilities and services and a range of public transport networks.

2.19 Chichester city is identified as the Sub-Regional Centre, with four Settlement Hubs being identified at East Wittering/Bracklesham; Selsey; Southbourne and Tangmere. This is a continuation of the existing spatial strategy in the Adopted Local Plan and consistent with the principle of locating new development at the most sustainable locations.

2.20 Southbourne is rightly identified as a Settlement Hub due to its range of local services and facilities, key public transport connections and employment/educational opportunities accessible via non vehicular methods of travel. The approach to Southbourne is discussed later at Section 4 and at Policy A13.

2.21 Accordingly, this strategic policy is positively prepared and justified, and is consistent with national policy promoting sustainable patterns of development.

### 3 Overall amount of Housing

Policy H1 Meeting Housing Needs  
Housing Need

3.1 Paragraphs 60 and 61 of the NPPF state that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.

3.2 Only in exceptional circumstances could an alternative approach be justified. But even then, that alternative approach will also need to reflect current and future demographic trends and market signals.

3.3 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan period, amounting to 575dpa.

3.4 This is lower than both a. the standard method figure of 638 dpa; and, b. the Preferred Approach figure in the previous consultation, of 650 dpa which included accommodating some unmet need arising from the South Downs National Park (SDNP) area. This shortfall will amount to over 1,100 dwellings across the plan period. Without any Statements of Common Ground being published by the Council or evidence of the shortfall being accommodated elsewhere, this remains unaddressed.

3.5 It is highly germane that the current Local Plan adopted a lower housing figure than the identified need of 505dpa, proposing instead to deliver 435dpa.

### Affordability in Chichester

3.6 The affordability ratios have risen from 12.38 in 2015, when the current Local Plan was adopted, to 14.61 in 2021 for Chichester, which is significantly higher than the current 9.1 national average, increasing the need for affordable housing within Chichester.

3.7 Between the 2011 and 2021 census, the number of people ages 50 to 64 years rose by over 3,100 (an increase of 13.4%), while the number of residents between 35 and 49 years fell by approximately 1,900 (8.5% decrease).

3.8 Chichester's worsening affordability ratios and aging population, which typically occurs in line with house price increases, demonstrate the clear need to increase the housing delivery to meet current and future needs (in line with the NPPF), and maximise the potential for housing in this District. The current strategy to suppress housing provision will only exacerbate these problems.

3.9 With the Submission Plan proposing to not meet the identified need, this once again will be an issue which moves onto the next Local Plan, failing to tackle key issues across the District such as affordability and lack of housing land supply. These issues cannot simply be moved onto the next Local Plan, they should be addressed now.

#### Constraints for development

3.10 The lower figure of 575dpa reflects both the infrastructure constraints along the A27 and at the

Waste Water Treatment Works, but also no longer accommodating unmet need from SDNP.

3.11 The Transport Study (January 2023) assesses the capacity levels, with particular focus on the A27. Although the Council state that 535dpa is the highest level of development per year achievable, the conclusions of this latest Study state, at paragraphs 5.6.5 and 11.2.3, that development of 700 dpa could be accommodated (in the southern plan area) through the mitigation proposed in the previous scenario of 535dpa with some additional mitigation at the Portfield and Oving roundabout.

3.12 This Transport Study (2023) was published following the preparation of the Sustainability Appraisal which refers to the 2018 study, therefore the latest evidence on highways matters has not be considered within the preparation of this Local Plan.

3.13 This is fundamental to the Plan's approach – increasing the housing requirement could assist with funding those additional highway improvements, in line with the recommendations of the Transport Study at Section 9.3 to prioritise junctions to avoid delays to housing delivery. This should be further reviewed by the Council to ensure the District's need is not being understated. It is recommended the housing need figure is reviewed in line with this evidence and the need to meet the minimum of the standard method figure of 638dpa, and aim to return to the 650dpa previously proposed.

#### Duty to Co-Operate

3.14 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

3.15 The East Hampshire Local Plan Review has identified 100dpa for the SDNP area of the District, below the identified need of 112dpa for the District's area and the overall requirement of 447dpa for the SDNP (Housing and Economic Development Needs Assessment 2017). In effect, in combination with Chichester, the National Park is needing to accommodate some 30 more dwellings per annum without any assessment as yet as to whether this can be achieved given the statutory protection that is afforded to it.

3.16 Whilst a Statement of Common Ground is referred to, it has not been published and therefore it is not possible to determine whether the decision not to make a provision for the National Park area is soundly based.

3.17 Previous evidence for the Preferred Approach demonstrated how the figure of 650dpa was achievable and necessary to help with the worsening affordability ratios across Chichester and the neighbouring authorities. Having removed provision for unmet need it is considered this plan has not been positively prepared.

#### Summary

3.18 Policy H1 clearly sets out how the majority of housing is to be delivered along the east-west corridor, with 535dpa in the southern plan area and 40dpa in the northern plan area. This is consistent with the Spatial Strategy and the Settlement Hierarchy, Policies S1 and S2, and the overarching objective of locating new housing at the most sustainable locations in the plan area.

3.19 By limiting the amount of housing there will be fewer schemes contributing to the required infrastructure improvements. Without developer contributions to fund wholesale upgrades to this infrastructure there is a risk of pushing the problem down the line for the next Local Plan to address, whilst problems with affordability and an aging population are further exacerbated.

3.20 All future schemes will be required to mitigate their impact on infrastructure including highways and utilities, and there is an opportunity for small to medium scale sites to be delivered in the short term whilst the larger allocations and/or the majority of the larger allocations await the upgrading of these works.

3.21 Currently, the proposal to reduce the overall housing supply for the new plan period is not supported, and the Council



should review the Transport Study with the intention of meeting the assessed level of local housing need in full. Without the identified housing requirement being met in full the problem of the younger population being unable to afford to remain in Chichester will continue, further growing the gap in workforce and an increasingly aging population.

3.22 Therefore, this policy is not positively prepared, justified or consistent with the NPPF.

Policy H2 Strategic Locations/Allocations 2021-2039

3.23 The wording of 'at least' within Policy H1 provides flexibility on the ability to achieve the minimum amount of housing considered necessary by the Council, in line with Policy S2. Although this quantum is not agreed, the approach using 'at least' is considered a sensible approach to allow the achievement rather than under delivery of much needed open and market housing.

3.24 The strategic locations/allocations set out in Policy H2 do not reflect this flexible approach. Instead, the sites are fixed as exact number of dwellings for those locations.

3.25 Paragraph 119 of the NPPF requires planning policies to promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

3.26 Policy A13 is a BLD and is fixed at 1,050 dwellings within Policy H2, this does not allow for the masterplanning approach to further assess the actual capacity and the best use of this land.

3.27 As such flexibility should be embedded into the wording of Policy H2 to ensure that the intention of Policy S2 is achieved; the housing target of at least 10,350 dwellings across the plan period (Policy H1) is met; and the land identified for development is most effectively used.

3.28 Therefore, it is suggested that Policy H2 includes the wording "at least" before the quantum of development for any strategic location or allocation. For example, Policy A13 would instead state "at least".

Policy H8 Specialist accommodation for older people and those with specialised needs

3.29 National Planning Practice Guidance for Housing for Older and Disabled People states how plan-making authorities should set clear policies to address the housing needs for groups with particular needs such as older and disabled people.

3.30 The Housing and Economic Development Needs Assessment (HEDNA) (April 2022) assesses the period between 2021-2039 for older people and those with a disability.

3.31 This concludes that there will be a 42% increase in the population above 65 years old, amounting to 67% of the total population growth.

3.32 The HEDNA sets out how the East-West Corridor has a higher percentage of over 65 year olds (24.7%) compared to both Chichester City (24.2%) and the Plan Area North area (23.4%).

3.33 The needs arising from this, amounts to between 2,131 and 2,872 additional dwellings with support or care, and a need for 429-800 additional nursing and residential care bedspaces. This equates to approximately 17-24% of all homes needing to be some form of specialist accommodation for older people.

3.34 In this context, the HEDNA makes an important recommendation that the Council allocate specific sites for housing with care to ensure the identified needs are met. In contrast Policy H8 is a criteria based policy that seeks specialist accommodation for older people on housing sites over 200 units based on evidence of local need.

3.35 As written, there is no confirmation on the quantum of specialist accommodation that this policy or other site allocations will secure and how the specific need for each application is calculated. Policy H8 fails to address the identified overall need clearly, as required by National guidance. Therefore, it is recommended the Local Plan allocates sites to deliver this type of accommodation as intended by the HEDNA.

3.36 This approach risks the land on these sites being unable to deliver both the expected market/affordable housing and the specialist accommodation on site.

3.37 The land under Hallam's control would be a suitable site for this type of accommodation, which is situated along the east-west corridor in a sustainable location on the edge of Southbourne.

#### 4 Southbourne

4.1 Southbourne is a key area in the District, in terms of existing development, its status as a Settlement Hub and its potential to accommodate future development.

Role of Southbourne

4.2 Southbourne is identified as a Settlement Hub within Policy S2.

4.3 Southbourne is located within the east-west corridor with a range of existing facilities, good transport links, and

employment opportunities both to the east and the west.

4.4 As set out in the Submission Plan, Southbourne has good access to educational facilities serving the residents, including primary schools, junior schools and secondary schools. There are a number of convenience stores and other community services and facilities such as a GP practice, pharmacy and places of worship.

4.5 The Bourne Community Leisure Centre provides local residents with access to community sports facilities. Access to public open space is also good through connections to Southbourne Recreation Ground. There is potential for more open space to be provided for local residents within the Local Plan Review and the strategic allocation proposed and this approach is embedded within our own Vision Document.

4.6 A key focus of the Sustainability Appraisal and the Submission Plan is for schemes to promote a modal shift in transportation. The strong public transport links within Southbourne to the wider surrounding area allows access to employment opportunities within the east-west corridor. Southbourne has strong public transport connections to the local and wider area, through bus and train services, to areas including: Chichester, Portsmouth, Havant, Littlehampton, Brighton, Southampton and London.

4.7 For these reasons, Southbourne is rightly designated as a Settlement Hub and is eminently suitable to serve as a BLD.

4.8 The Southbourne Level Crossing Report May 2021 analyses the options for delivering the railway crossing at Southbourne. It concludes that circa 750 dwellings can be delivered north of the railway line before triggering the requirement for a new crossing. The report highlights how sites south of the rail line are not likely to impact on the level crossing and can therefore be delivered earlier than await the railway line improvements.

4.9 Therefore, in this context it would be appropriate to allocate small and medium scale sites to the south of the railway, which is less constrained by the capacity restriction on the railway crossing.

4.10 The land under Hallam's control is to the south of the railway line, would help facilitate a future new railway crossing to the north of the site, and would be of a medium scale to deliver housing early in the period plan.

Strategic Allocation A13

4.11 The Key Diagram appears to suggest that new development is to be located to the west and east of Southbourne, remedying the previously unsuccessful approach of focusing development only to the east. Similarly, the Key Diagram acknowledges the need for development to the south of the railway line, facilitating development north of the railway line. It is recommended the wording of the policy should be updated to reflect this diagram, as suggested below:

Provision will be made for a mixed use development within the broad location for development to the west and east of Southbourne, as shown on the Key Diagram.

4.12 Previously, the Preferred Approach consultation document set out at Policy AL13 a minimum of 1,250 dwellings at Southbourne and to be identified in the revised Southborne Neighbourhood Plan. (emphasis added)

4.13 The Submission Plan now allocates Policy A13 for 1,050 dwellings and will be established through the making of allocation(s) in the future Site Allocation DPD or the revised Southbourne NP. This strategic allocation is to act as a mixed use extension to the existing settlement.

4.14 It is acknowledged that the land north of Cooks Lane (Application number: 22/00157/REM) received Reserved Matters approval in August 2022 for 199 dwellings, with the reduction in quantum of development for the BLD reflecting this committed development. A practical effect of this is that this consent will not contribute to the wider infrastructure requirements associated with a larger scale of development.

4.15 It is disappointing to see the phrase "a minimum of" has been removed. This conflicts with the flexibility set out earlier in the consultation document, and also reduces the potential of making effective use of the land for housing that will assist in meeting the overall need of the District.

4.16 Policy A13 prescribes a number of requirements that must be met (criterion 1 – 16). These are considerations that reflect principles of place making and sustainable development and provide a sound framework for the preparation of the allocation through either mechanism.

4.17 One of these requirements states that future development "Provide[s] any required mitigation to ensure there is no adverse impact on the safety of existing or planned railway crossings." The existing Southbourne Neighbourhood Plan, at Objective 9, outlines the issues relating to the railway crossing and the plans for addressing this challenge in the future.

4.18 Related to this is the need for the provision of "suitable means of access to the site(s), securing necessary off-site improvements (including highways) ... to promote sustainable transport options."

4.19 The combination of the requirements relating to the railway crossing and the provision of a suitable means of access show the importance of accessibility to the A27, A259 and the east-west railway line, which are the principal public transport corridors for Southbourne.

4.20 Development will be well connected to Southbourne via footway and cycle connections to the east and offers the opportunity to help realise the construction of a new strategic road and bridge link over the West Coastway Rail Line through provision of land and proportionate contributions to this scheme.

4.21 Criteria 13 ensures there will be sufficient capacity within the relevant wastewater infrastructure before the delivery of development, which addresses (for Southbourne) the identified constraints for the District in relation to housing delivery.

4.22 The remaining requirements of Policy A13 cover the quality and range of development, the provision of education, community and transport facilities, provision of public open space and green infrastructure, and the impact of development on the landscape. These are each appropriate considerations for the Site Allocations DPD.

4.23 Having regard to the above, the allocation of 1,050 dwellings for Southbourne is, in part, appropriate.

4.24 However, this policy should allow for the delivery of small or medium scale parcels of land, in accordance with the NPPF at an early stage of delivery of the wider allocation to enable prompt and timely housing at Southbourne whilst infrastructure upgrades are commenced. The Local Plan should identify and allocate these smaller scale sites to ensure these can come forward early in the plan period.

4.25 A new criteria is proposed to be included in the wording of Policy A13, stating:

(17) To identify land for early delivery on small to medium scale sites which are not constrained by the need for a new railway crossing.

4.26 Therefore, the principle of a strategic allocation for mixed use housing is considered appropriate but amendments should be made to the wording of the policy to reflect the approach to flexibility, the inclusion of small and medium scale sites, and the dispersion of development to both the west and east of Southbourne.

Southbourne Neighbourhood Plan

4.27 As set out in the paragraph 10.56 of the Submission Plan, development phasing is a key issue to address through the allocation of development sites for this BLD.

4.28 Paragraph 70 of the NPPF states that "Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites suitable for housing in their area." Southbourne Parish Council should be aware of this when allocating the strategic sites, to ensure that there are a mix of housing sites, that could come forward sooner than the principal element of the larger strategic site.

4.29 Through the preparation of the Neighbourhood Plan, the Parish Council should take into account the allocation of smaller sites, which could come forward as part of and alongside the larger strategic site. This will ensure that there is not a delay in the provision of housing within Southbourne and the plan area.

4.30 As set out previously, the most suitable mechanism for progressing the Southbourne BLD would be the Site Allocation DPD. Whether the sites are allocated through the Site Allocations DPD or the NP, there is a requirement to identify small and medium scale site.

Land to the north of Gosden Green

4.31 The land under Hallam's control to the north of Gosden Green, should either be allocated in the Local Plan as a medium scale site or should be a key component of the BLD. The site can deliver both market/affordable residential units and specialist elderly accommodation. The site will create flexibility in achieving the housing requirement of the plan area early on in the plan period.

4.32 The accompanying Vision Document demonstrates how as an early development parcel for the wider BLD, a series of key benefits in accordance with the 13 criteria of Policy A13 will be achieved.

4.33 The Proposed Submission Plan at Policy H8 identifies the need for specialist accommodation for older people and those with specialist needs. Although not set out in the Vision Document, this site can deliver, early in the plan period, much needed specialist elderly accommodation.

4.34 Figure 3 of the Vision Document presents the scheme's ability to connect into a wider masterplan for the strategic development, as it comes forward in the future. However, at the same time has the ability to come forward at an earlier rate being physically unconstrained and a well contained parcel of land.

4.35 Figure 9 provides context on connectivity, and the modal shift this scheme aims to achieve. The ability to walk to a range of services and facilities, including the train station further demonstrates the ability for the early delivery of this parcel of the BLD.

4.36 The impact of the highways network has been assessed for both a full residential scheme and specialist elderly housing, highlighting how the residential scheme will introduce approximately 55 new vehicles to the network at peak times, resulting in less than 1 car per minute in the peak hour. Either scheme will have a negligible impact on the highway network and would have a negligible impact on A27.

4.37 The site is to the south of the railway line, as previously mentioned, and would be unconstrained by the capacity constraint of the existing railway crossing.

4.38 For these reasons, the land under Hallam's control should be allocated within the Local Plan.

## 5 Conclusion

5.1 These representations are submitted on behalf of Hallam Land Management Limited.

5.2 In the context of national, local and neighbourhood planning policies, the Local Plan has an important role in providing policies and proposals for residential development to meet future needs.

5.3 The proposed objectively assessed need for housing across the plan area is not agreed, and the Council should review the latest transport evidence which currently do not demonstrate how there are exception circumstances, in accordance with paragraph 62 of the NPPF. The Council should also extend the plan period to ensure it meets the requirements of a minimum of 15 years in the NPPF.

5.4 Consistent with the established strategy to focus development in the District's east-west corridor, the Broad Location for Development to Southbourne as a Settlement Hub is, as a matter of principle, a sound proposition. Importantly the Key Diagram identifies the broad location for this development to the west and east of the settlement.

5.5 As discussed, there should be flexibility embedded into all strategic allocations, in particular those which are Broad Locations for Development through the use of the wording "at least". This will ensure that the "at least" quantum of housing delivery is met and affords flexibility to all housing sites coming forward.

5.6 The responsibility for allocating additional development land to meet this requirement has been given to either the Parish Council through the preparation of a new Neighbourhood Plan or through the Council reviewing the Site Allocations DPD. It is recommended that for the larger strategic allocations and locations the Site Allocations DPD is the more suitable mechanism for identifying land given the need to ensure that proposals are sound.

5.7 Whilst the scale of development proposed is strategic in nature, it is entirely appropriate to consider how different development parcels might contribute towards that and in particular early opportunities that facilitate larger scale development later in the plan period.

5.8 To this end, land to the west of Southbourne and south of the railway line could be allocated as the first phase of the strategic site allocation, as a medium size site, so that this southern section of the new link road is built to enable access to land to the north. This will reduce the pressure placed on the centre of Southbourne, the highway capacity on the A27, and the existing railway crossing.

5.9 By allocating small to medium scale sites in the Local Plan, this will bring forward development at a quicker pace and ensure that the objectively assessed needs for housing across the plan area are met each year. These can be delivered without prejudice to the larger strategic allocations and locations.

5.10 Currently, the Submission Plan fails to address the increasing need for specialist accommodation, with Policy H8 failing to secure specific delivery of such housing, instead moving this matter into major development schemes with no mechanism for assessing need at that stage. It is recommended that the Local Plan allocates sites for specialist accommodation.

5.11 Hallam control land to the west of Southbourne, which adjoins the land at Gosden Green which has already been built. The land controlled by Hallam could be: allocated as a medium scale site within the Local Plan; included as part of the western strategic allocation of Broad Location for Development at Southbourne; or could be allocated for specialist elderly accommodation, ensuring land is readily available for development early in the plan period to address identified needs.

5.12 This would be consistent with the development strategy for the Plan and positively contribute towards meeting future development needs of the plan area.

5.13 These representations have demonstrated that in part the Submission Plan has been positively prepared and justified, however the key recommendations in these Representations should be followed to ensure the plan preparation accords with Paragraph 35 of the NPPF.

### Change suggested by respondent:

The Council should extend the plan period to at least 2040 to ensure this requirement is met.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

### Attachments:

Written Representation - <https://chichester.oc2.uk/a/sgn>

Vision Document - <https://chichester.oc2.uk/a/sgy>

## Support

**Document Element:** Purpose of the Plan, 1.4

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

Support

**Full text:**

Support

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t9t>

## Object

**Document Element:** Purpose of the Plan, 1.4

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

We believe the plan should be withdrawn and significantly revised.

**Full text:**

We believe the plan should be withdrawn and significantly revised.

**Change suggested by respondent:**

We believe the plan should be withdrawn and significantly revised.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/trd>

## Object

**Document Element:** Purpose of the Plan, 1.4

**Respondent:** Boxgrove Parish Council (Ms Imogen Whitaker, Clerk and RFO) [7880]

**Summary:**

Boxgrove Parish Council supports the plan overall and that the plan is legally compliant and sound, but feels that the Local Plan consultation period has not allowed sufficient time for proper local consultation and includes proposals that have never previously been consulted upon in Boxgrove.

**Full text:**

Boxgrove Parish Council supports the plan overall and that the plan is legally compliant and sound, but feels that the Local Plan consultation period has not allowed sufficient time for proper local consultation and includes proposals that have never previously been consulted upon in Boxgrove.

We do not understand how so many of the sites, previously discounted in the 2018 HELAA, for various reasons, are now designated in the 2021 HELAA as having 'no known constraints' to development on the same sites.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Representation Form - <https://chichester.oc2.uk/a/sqs>

## Object

---

**Document Element:** Purpose of the Plan, 1.5

**Respondent:** Mr Colin Mckenna [7790]

**Summary:**

While the Plan recognises climate change there is no forecast scenario of what climate the Plan is designed to cater for either in 2039 or any intervening years.

**Full text:**

While the Plan recognises climate change there is no forecast scenario of what climate the Plan is designed to cater for either in 2039 or any intervening years.

**Change suggested by respondent:**

The Plan should be revised to forecast how climate change may alter land use planning requirements over the period of the plan and demonstrate how the Plan is sufficiently flexible to the changes which will occur albeit the timing of these changes are uncertain. As an example it is clear that some existing areas of housing in the Manhood Peninsular are very vulnerable to flooding due to storm surges. Climate change will bring an increasing risk of such events and some housing areas should be identified in the Plan for such displacement to take place.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

---

**Document Element:** Purpose of the Plan, 1.5

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

Support.

**Full text:**

Support.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t93>

## Object

**Document Element:** Purpose of the Plan, 1.5

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

### Summary:

The Local Plan is not positively prepared. The proposed expansion of HDAs is welcome. However the council's current approach to restrictions on co-location of functionally linked businesses and activities within the food park/cluster is impacting on business competitiveness and efficiency.

### Full text:

Object- The proposed local plan has not been positively prepared and will fail to meet the economic needs of the Horticultural Industry. Specifically, the Regulation 19 Local Plan fails to take account of evidence that is critical to the Plan achieving the following criteria:

- Identifying the amount of development needed;
- Identifying development opportunities and infrastructure required to support and foster business enterprises and entrepreneurship;
- Providing opportunities to create new dwellings and jobs for present and future generations, with accessible facilities that support the needs of strong, vibrant and healthy communities;

The Horticultural Industry is a well-established and successful indigenous industry in the south of England. An especially high concentration of constituent elements of the industry are located within the administrative boundary area of Chichester District Council. Every effort should be made during the plan period to accommodate efficiencies that will foster economic growth and improve the competitiveness of the food cluster in the interests of promoting local economic growth and job creation as well as the resilience of the UK food supply. This will be achieved through ensuring that local development plan policies facilitate the expansion of the industry in terms of both land take (through planning policy allocations and subsequent development management decisions), as well as providing an environment in which associated elements of the food cluster (such as research development, logistics and distribution and linked administrative functions) can thrive (this will be achieved through the flexible wording of planning policy and subsequent decision making by development management).

The economic potential of the horticultural industry in Chichester is clearly acknowledged in the Council's evidence base, including the 2018, 2020 and 2022 HEDNAs, Government reports and various industry reports. Accordingly, these representations assert that the findings of these research reports, in addition to a custom piece of research on Runcton HDA (Produced by Savills Economics Research (Savills SREBR), have not been but must be incorporated in full into the Council's Local Plan submission to the Secretary of State in order to demonstrate that the Local Plan submission meets the definition of 'sound' as outlined within paragraph 35 of the NPPF.

### Change suggested by respondent:

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

### Attachments:

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sd5>

23-03-17 Chichester Food Hub report 4th Draft Issue.pdf - <https://chichester.oc2.uk/a/sdv>

## Support

**Document Element:** Purpose of the Plan, 1.6

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

Support

**Full text:**

Support

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t94>

## Object

**Document Element:** Purpose of the Plan, 1.6

**Respondent:** Mr Simon Davenport [7100]

**Summary:**

There will be environmental constraints which overrule any local plan, including this one, as projected rising sea levels as well as abnormal weather events threaten human habitation of the coastal plain.

The primacy of working within the short term climate forecasts and the need to avoid further environmental damage in the area will mean that the existing local plan will have reduced relevance to ongoing development.

**Full text:**

There will be environmental constraints which overrule any local plan, including this one, as projected rising sea levels as well as abnormal weather events threaten human habitation of the coastal plain.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Purpose of the Plan, 1.7

**Respondent:** John Newman [8169]

**Summary:**

I welcome the idea of neighbourhood plans, which I consider very democratic.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>



## Object

**Document Element:** How to Use the Plan, 1.10

**Respondent:** Juliet Robertson [7022]

**Summary:**

Loxwood developed a local plan that first allowed for 60 houses, followed by a further 121 houses. The village is now faced with a minimum of a further 220 rising to 311. This additional volume ignores the Neighbourhood Plan prepared by the Parish Council and residents.

It takes no account of the already inadequate sewage infrastructure which is not planned to be rectified.

There is no regular public transport or long term job opportunities so the pressure of commuter traffic will increase substantially on already heavily utilised roads.

The scale of the proposals will change the nature of the village.

**Full text:**

Loxwood developed a local plan that first allowed for 60 houses, followed by a further 121 houses. The village is now faced with a minimum of a further 220 rising to 311. This additional volume ignores the Neighbourhood Plan prepared by the Parish Council and residents.

It takes no account of the already inadequate sewage infrastructure which is not planned to be rectified.

There is no regular public transport or long term job opportunities so the pressure of commuter traffic will increase substantially on already heavily utilised roads.

The scale of the proposals will change the nature of the village.

**Change suggested by respondent:**

There needs to be a review of the overall plan for Northern area to ensure a more equitable distribution of housing.

The CDC has not followed established National Planning Guidelines and should not ride roughshod over our own Neighbourhood Plan.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Document Element:** How to Use the Plan, 1.11

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1billion pounds and employs more than 10,000 full time equivalent staff.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t95>

## Object

**Document Element:** Policy Context, 1.13

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1billion pounds and employs more than 10,000 full time equivalent staff.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t96>

## Object

**Document Element:** National Planning Policy, 1.14

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

The NPPF is currently under review and may result in a shift in Government Policy on development - particularly on housing targets. We feel that the publication of the Chichester Local Plan pre-empts the outcome of the consultation and potential change in national planning policy.

**Full text:**

The NPPF is currently under review and may result in a shift in Government Policy on development - particularly on housing targets. We feel that the publication of the Chichester Local Plan pre-empts the outcome of the consultation and potential change in national planning policy.

**Change suggested by respondent:**

The timescale of the plan submission should be amended to allow for the confirmation of national planning policy. In the meantime, to guard against speculative development, there should be a moratorium on building in the district.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqc>

## Object

**Document Element:** Relationship between Neighbourhood Plans and the Local Plan, 1.17

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

The plan is out of date and incomplete with reference to the revisions made in the plan.

**Full text:**

The plan is out of date and incomplete with reference to the revisions made in the plan

**Change suggested by respondent:**

Update the plan and re submit.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Relationship between Neighbourhood Plans and the Local Plan, 1.17

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

Not sound because it cannot be effective to make decision based on incomplete or out of date plans without making additional enquiries of local residents and land users who have a better understanding of the local area.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergencV"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversitV"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid rood damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon

the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.

17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.

18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor.

Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.

19. P96, Policy NE22 Air Quality

20. P97, Policy NE-23 Noise

21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity

22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"

23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.

24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats

25. P95, Para 4.129 The council has a duty to review and assess air quality within the district

26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

#### Change suggested by respondent:

Insert additional text after the first sentence: Working with parish councils, in compliance with the principles set out in the statement of community involvement is a legal requirement for the council and it would be inappropriate for the council to override existing neighbourhood plans with material increases in house building targets ( e.g. increase around 30%) unless there is strong local support evidences by a local referendum with representative participation rates.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

Cover Letter - <https://chichester.oc2.uk/a/stj>

Para-1.17 - <https://chichester.oc2.uk/a/stk>

Para-1.25 - <https://chichester.oc2.uk/a/stz>

Para-2.54 - <https://chichester.oc2.uk/a/stm>

Para-3.14 - <https://chichester.oc2.uk/a/stn>

Para-4.16 - <https://chichester.oc2.uk/a/sty>

Para-4.32 - <https://chichester.oc2.uk/a/stp>

Para-4.92 - <https://chichester.oc2.uk/a/stq>

Para-7.21 - <https://chichester.oc2.uk/a/s3r>

Para-8.12 - <https://chichester.oc2.uk/a/s3s>

Para-8.17 - <https://chichester.oc2.uk/a/s3t>

Para-10.59 - <https://chichester.oc2.uk/a/s33>

Para-10.60 - <https://chichester.oc2.uk/a/s34>

Para-10.61 - <https://chichester.oc2.uk/a/s35>

Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>

Para-10.63 - <https://chichester.oc2.uk/a/s37>

Para-10.64 - <https://chichester.oc2.uk/a/s38>

Para-10.65 - <https://chichester.oc2.uk/a/s39>

Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>

Policy-10.6 - <https://chichester.oc2.uk/a/s3b>

Policy-A14 - <https://chichester.oc2.uk/a/s3c>

Policy-I1 - <https://chichester.oc2.uk/a/s3d>

Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Support

**Document Element:** Relationship between Neighbourhood Plans and the Local Plan, 1.17

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

WGPC agree that Chichester District requires an effective adopted Local Plan to protect the district, and especially villages, from speculative development. However, WGPC has concerns about the methodology for the housing allocation. Wisborough Green cannot take further (significant in percentage terms) housing allocation without a detrimental impact on its rural and historic character - contrary to Local Plan objectives.

**Full text:**

Support – with qualification

WGPC agree that Chichester District requires an effective adopted Local Plan to protect the district, and especially villages, from speculative development. However, WGPC has concerns about the methodology for the housing allocation. Wisborough Green cannot take further (significant in percentage terms) housing allocation without a detrimental impact on its rural and historic character - contrary to Local Plan objectives.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Relationship between Neighbourhood Plans and the Local Plan, 1.17

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

WGPC agree that Chichester District requires an effective adopted Local Plan to protect the district, and especially villages, from speculative development. However, WGPC has concerns about the methodology for the housing allocation. Wisborough Green cannot take further (significant in percentage terms) housing allocation without a detrimental impact on its rural and historic character - contrary to Local Plan objectives.

**Full text:**

Support – with qualification

WGPC agree that Chichester District requires an effective adopted Local Plan to protect the district, and especially villages, from speculative development. However, WGPC has concerns about the methodology for the housing allocation. Wisborough Green cannot take further (significant in percentage terms) housing allocation without a detrimental impact on its rural and historic character - contrary to Local Plan objectives.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Relationship between Neighbourhood Plans and the Local Plan, 1.17

**Respondent:** Chichester City Council Neighbourhood Plan Steering Group (Councillor Sarah Quail) [8184]

**Summary:**

Paragraphs 1.17 to paragraph 1.22 focus almost exclusively on timing of Neighbourhood Plans and housing delivery. No mention of how Neighbourhood Plans can effectively energise communities on issues linked to built and ambient local environment (such as active transport, pollution, and green spaces) to create well-supported visions for areas of change, set realistic yet ambitious thresholds for design standards and shape and influence inward investment to unlock land and deliver new development of a high standard. We seek a collaborative discussion that leads to agreement of a Memorandum of Understanding (MoU) or similar that will help agree scope, responsibilities, timescales, and deliverables coming through CNP process.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/syp>

## Object

---

**Document Element:** Relationship between Neighbourhood Plans and the Local Plan, 1.17

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

[RECEIVED LATE]

- Concerns raised regarding consultation process in relation to Parish Council, neighbourhood planning and local community support.

See full representation/statement within attachment.

**Full text:**

[RECEIVED LATE]

Statement from Chidham & Hambrook Parish Council  
concerning the Chichester Local Plan 2021-2029 Proposed Submission Consultation

The current Local Plan was made in 2016. It would be reviewed within five years. Consultation on the Preferred Approach Plan was undertaken between December 2018 and February 2019. Our residents profoundly disagreed with the change in the proposed housing allocation for the Parish which had risen from 25 (Objective Assessment indicative housing number) in the previous Local Plan (2014-2029) to 500 (2024-2039) Since then, despite our arguments, the number has only been reduced to 300 i.e. 12 times our previous housing allocation. There has been no explanation from Chichester District Council about what has been changed/retained as a result of the consultation or for what reasons. The figure of 300 has not been justified. Our arguments have not been addressed. Furthermore, there is a Southbourne planning application for 63 houses on the immediate north-west border of the parish with the only access through Chidham & Hambrook, but this, if approved, would be in addition to the allocation determined by CDC. This application would impact a protected chalk stream destroy the rural edge of the village and landscape and exacerbate local concerns about development levels. Despite these issues, this development would have little if any practical connection with Southbourne.

We have been asked to comment on the Regulation 19 Submission Plan which includes brand new Policies which have been introduced apparently without any local consultation. The response submission process is on-line only, complicated and time-consuming. Residents are limited to three reasons for objecting – legal compliance, soundness and duty to cooperate. They are restricted to a comment of only 100 words. Only four supporting documents can be attached. This consultation process seems undemocratic. We realise that the government makes the rules, and the Council has to keep to the rules, but this is not an acceptable or democratic form of Consultation.

In the period 2014 - 2017 of the previous Local Plan there was a substantial amount of development in Chidham & Hambrook: the 25 properties increased to 144 new properties permitted by the end of 2019, many 'on appeal', and a further 148 in the period to 2022 of which 144 count towards the new Local Plan. This means a further 156 houses are required.

Currently a further 239 houses are the subject of planning applications which have gone to appeal.

The Council's original assertion of the status of the parish as a relatively high ranking service village was only justified by the theoretical ranking system, but not in our view, as expressed to the council, by practical, comparative, qualitative reality. Although this ranking has disappeared from the current draft it must have contributed to the appeal decision in 2021 for 118 houses in Hambrook which was not contested by the Council, and allowed at a time when the Council could not demonstrate a 5 year housing land supply.

Our residents are understandably incensed. It is difficult to present an argument for a Neighbourhood Plan that requires so many houses, and any new plan will be required to get residents approval in a referendum. Our current experience is of increasing housing numbers for a parish where travel by car is necessary because of the distances, infrequency, inconvenience and cost of buses or trains.

How can CDC expect support from local communities for their Local Plan involving future development if they disregard concerns about the current situation in terms of the limitations of the infrastructure? Just as importantly the parish is midway between the SDNP and the Chichester Harbour AONB. Building in the parish degrades the links between, and therefore the habitats themselves, of these two important and legally protected environmental areas. This is economically counterproductive because of the importance of tourism and leisure, and farming to the area, and the historic and chronic underinvestment in basic wastewater treatment capacity locally.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

2023.04.11 Local Plan Consultation Statement - <https://chichester.oc2.uk/a/t5q>



## Support

**Document Element:** Relationship between Neighbourhood Plans and the Local Plan, 1.18

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

A reviewed Neighbourhood Plan has been prepared for Wisborough Green. In Autumn 2018, CDC advised that the Regulation 14 consultation for a revised NP must be started by January 2020 if the village was to allocate sites. Despite the tight timetable for a volunteer group to complete, the process was started, substantial work completed before CDC's subsequent delay which provided little information or support.

WG's original housing allocation was 25, increased to 40 in November 2020, before being increased to 75 in January 2023.

**Full text:**

Support – with qualification

A reviewed Neighbourhood Plan has been prepared for Wisborough Green. In Autumn 2018, CDC advised that the Regulation 14 consultation for a revised NP must be started by January 2020 if the village was to allocate sites. Despite the tight timetable for a volunteer group to complete, the process was started, substantial work completed before CDC's subsequent delay which provided little information or support.

WG's original housing allocation was 25, increased to 40 in November 2020, before being increased to 75 in January 2023.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Relationship between Neighbourhood Plans and the Local Plan, 1.18

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

A reviewed Neighbourhood Plan has been prepared for Wisborough Green. In Autumn 2018, CDC advised that the Regulation 14 consultation for a revised NP must be started by January 2020 if the village was to allocate sites. Despite the tight timetable for a volunteer group to complete, the process was started, substantial work completed before CDC's subsequent delay which provided little information or support.

WG's original housing allocation was 25, increased to 40 in November 2020, before being increased to 75 in January 2023.

**Full text:**

Support – with qualification

A reviewed Neighbourhood Plan has been prepared for Wisborough Green. In Autumn 2018, CDC advised that the Regulation 14 consultation for a revised NP must be started by January 2020 if the village was to allocate sites. Despite the tight timetable for a volunteer group to complete, the process was started, substantial work completed before CDC's subsequent delay which provided little information or support.

WG's original housing allocation was 25, increased to 40 in November 2020, before being increased to 75 in January 2023.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Relationship between Neighbourhood Plans and the Local Plan, 1.19

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

The support and sharing of evidence and information is essential, though has been sadly lacking on CDC's part during the past 3 years, in stark comparison to the good level when the WGNP was first prepared.

**Full text:**

Support – with qualification

The support and sharing of evidence and information is essential, though has been sadly lacking on CDC's part during the past 3 years, in stark comparison to the good level when the WGNP was first prepared.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Relationship between Neighbourhood Plans and the Local Plan, 1.19

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

The support and sharing of evidence and information is essential, though has been sadly lacking on CDC's part during the past 3 years, in stark comparison to the good level when the WGNP was first prepared.

**Full text:**

Support – with qualification

The support and sharing of evidence and information is essential, though has been sadly lacking on CDC's part during the past 3 years, in stark comparison to the good level when the WGNP was first prepared.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Relationship between Neighbourhood Plans and the Local Plan, 1.20

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Local Parishes can assist the supply of land for development needs, "in the right place and of the right kind" They should not be locations for no change, but managed change through Neighbourhood Plans (NPs)

A finer grain is required to the sustainability appraisal through NPs. to provide opportunities for limited, appropriate growth, in smaller settlements.

Specific policies should protect land within Parishes adjoining the National Park from inappropriate development.

The requirement that Parish housing figures in the Plan should be treated as a minimum is supported, although it is questioned whether the figures proposed through the Plan represent the true potential of the area or the needs of the community.

**Full text:**

Local Parishes can assist the supply of land for development needs, "in the right place and of the right kind."

Development needs should not be confined to housing, although this is expected to be the more significant development form that must be planned and not left to speculation.

All change within a Parish should result in positive enhancement of economic assets, including local need, its sense of place, heritage and environment.

We acknowledge the work done through the sustainability appraisal (AECOM January 2023) and while its general methodology and aim is supported (including the consideration of all HELAA sites) we encourage the Council to work with all Parishes to take that appraisal to a finer grained level to identify short and longer term additional development opportunities, and to firmly identify and plan for areas of little or no change, and environmental and general enhancement that adds positively to the district's sustainability.

Growth priority in Parishes to the west of Chichester and along the A27 corridor is supported as a strategic priority, providing such growth is supported by deliverable infrastructure to not only meet its direct need, but provide enhancement to the wider community, and should not exacerbate existing issues and infrastructure deficiencies.

Growth generally, and new developments individually, should not be located where future infrastructure improvements will be compromised; this is particularly important in Parishes and on development sites adjoining key strategic routes such as the A27.

Despite important environmental designations, there is greater capacity available within Parishes to the south of the city, that can be identified through a finer grain assessment in Neighbourhood Plans. Many constraints are 'jumped upon' and applied too freely in the south to resist even appropriate developments, forcing other areas to accommodate 'displaced developments' in less than appropriate locations.

To the north, opportunities exist but are constrained by the proximity of the National Park, and the over-arching landscape and environmental need to protect and enhance its boundaries and environs.

The value of the National Park and its importance Nationally (economically and environmentally) extends further than its physical boundaries. The plan should introduce specific policies that seek to protect land within Parishes adjoining the National Park from inappropriate development which will undermine the importance and significance of the National Park. These peripheral areas of protection and enhancement should be defined through neighbourhood plans.

**Change suggested by respondent:**

The plan must encourage each Parish neighbourhood plan to actively pursue the long-term growth and sustainability of its area, not only planning for a minimum growth, but through further, on the ground, analysis of the sustainability appraisal (AECOM January 2023) to identify additional opportunities that plan for a true and sustainable balance between growth and protection/enhancement.

The plan should confirm that planning for 'no change' in a Parish is not acceptable.

The plan must examine strategic infrastructure needs and ensure that enhancement opportunities are identified and protected through appropriate policy designations to ensure new developments do not compromise the ability to deliver. Further development of housing sites immediately adjacent to the A27 should be resisted unless provision is made within the application for appropriate upgrading of that route (this is most important in locations close to existing or potential junctions.)

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Document Element:** Relationship between Neighbourhood Plans and the Local Plan, 1.21

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC's Reg 14 consultation was completed in May 2021, the process was then paused by CDC; it was not until January 2023 that CDC advised that WG's housing allocation had increased to 75.

The NP process will be resumed when the Local Plan has been through examination.

**Full text:**

WGPC's Reg 14 consultation was completed in May 2021, the process was then paused by CDC; it was not until January 2023 that CDC advised that WG's housing allocation had increased to 75.

The NP process will be resumed when the Local Plan has been through examination.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Duty to Co-operate, 1.23

**Respondent:** Domusea [1816]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

In 2021 the Council invited an advisory visit from PINS to advise on how the present Local Plan should be prepared. The inspector advised that if the Plan was prepared which did not meet the full housing needs of the area, it would have to show that it had followed the duty to co-operate with neighbouring authorities in maximising the effectiveness of plan preparation.

The inspector said the Duty to Cooperate was therefore critical in the preparation of the Local Plan Review.

The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. In the event, the Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted.

No statements have produced or agreed. Therefore as it stands the under provision of housing against OAN in the Plan has not been justified. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy in the NPPF paragraph 24-27 which advises on the duty to cooperate approach.

**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. The Regulation 19 Plan is not legally compliant as it has not been reviewed within 5 years of the last Plan adopted in July 2015. It is also disappointing that the failure of the current Regulation 19 Local Plan to meet objectively assessed need (OAN) of 638 dpa outside the national park has not been properly evidenced in any up to date statement of common ground with neighbouring authorities with regards to the 'duty to cooperate'.

At this stage we believe the Plan as drafted therefore fails the positively prepared, effective, and consistent with national planning policy tests.

#### Duty to Cooperate

The 2014-2029 Local Plan adopted in 2015 does not meet the full objectively assessed housing needs for the area. But it did recognise that future proposals to improve the capacity of the A27 and wastewater treatment works could facilitate additional housing growth. For this reason, it committed the Council to a review of the Plan within five years to ensure that housing needs could be met. That undertaking to review within 5 years was not met.

In 2021 the Council invited an advisory visit from PINS to advise on how the present Local Plan should be prepared. The inspector advised that if the Plan was prepared which did not meet the full housing needs of the area, it would have to show that it had followed the duty to co-operate with neighbouring authorities in maximising the effectiveness of plan preparation.

The inspector said the Duty to Cooperate was therefore critical in the preparation of the Local Plan Review. At the time of the meeting, the council said discussions with neighbouring authorities had been carried out on the basis that the Local Plan Review would meet the full objectively assessed housing needs (OAN) for the area. However if this was not the case, the inspector said evidence of constructive, active, and on-going engagement to determine whether or not development needs could be met elsewhere would need to be shown. Importantly, the inspector said, 1) 'a failure to meet the Duty to Cooperate cannot be remedied during the examination process because it applies to the preparation of the Plan, which ends upon submission', and 2) local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before submitting plans for examination.

The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. In the event, the Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted. Appendix 1 of the Statement of Compliance lists those authorities that were consulted during the earlier Regulation 18 Preferred Approach consultation. Appendix 2 lists those authorities where Statements of Common Ground have been agreed with Chichester DC for the Regulation Submission 19 Plan. No statements have been produced or agreed. Therefore as it stands the under provision of housing against OAN in the Plan has not been justified. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy in the NPPF paragraph 24-27 which advises on the duty to cooperate approach.

#### Local Plan Policies

The remainder of these comments deal with the proposed Settlement Hierarchy - policy S2, policy H1 – Meeting Housing Need, Non-Strategic Housing Sites – Policy H3 and T1 Transport Infrastructure.

#### Policy S2 – Settlement Hierarchy

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that Plaistow & Ifold has been properly identified as a service village in the settlement hierarchy.

#### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

We note from policy H1 that the components of housing supply include outstanding housing commitments without planning permission from the 2015 adopted Local Plan, the Site Allocations DPD, and 'made' Neighbourhood Plans. However, it is unclear how the above housing supply components have been calculated and how they have translated into the strategic and non-strategic allocations in policies H2 and H3.

In the case of Plaistow and Ifold, the last adopted 2015 Local Plan identified the settlement with an allocation of 10 dwellings. The subsequent Site Allocation DPD identified land north of Little Springfield Farm for 10 no. units. A Neighbourhood Plan for Plaistow and Ifold was produced but was withdrawn and no site allocations were confirmed. The allocated site north of Little Springfield Farm remains undeveloped.

With specific reference to Plaistow & Ifold we would therefore query whether 1) the existing housing commitments without planning permission in the 2015 Local Plan and the Site Allocations DPD have been double counted, and 2) whether the non-implementation of the 10 units from the 2015 Local Plan have been ring fenced to count against the new proposed allocation of 25 dwellings at the settlement? In which case, we would question why a further 15 dwellings are only proposed at a service village in the hierarchy compared to other service villages in the NE part of the district which

are proposed for higher levels of development (Loxwood 220 dwellings, Kirdford 50 dwellings and Wisborough Green 75 dwellings).

If the 25 dwelling allocation at Plaistow & Ifold is intended to be additional to the 10 units identified in the last 2015 Local Plan, then the allocation should be increased to 35 dwellings as a minimum to reflect the non-implementation of the 2015 allocation.

#### Policy H3 – Non-Strategic Parish Allocations

Policy H3 identifies non-strategic parish allocations. We have explained above our queries with the 25 dwelling allocation to Plaistow & Ifold, whether it has allowed for the non-implementation of the 10 units in the last 2015 Plan and why it compares so unfavourably with much higher levels of development for the other service villages in the NE part of the district.

We would also query why the options outlined in the PINS advisory visit of 2021 have not been more thoroughly tested for increased housing provision in the north part of the district to increase the supply of housing to meet OAN. There is no updated Settlement Hierarchy background paper, and the revised housing distribution has not been justified anywhere in the evidence base for the Regulation 19 Local Plan.

#### Policy T1 – Transport Infrastructure

The policy objectives to ensure new development is well located and designed to avoid or minimise the need for travel and encourage the use of sustainable modes of travel as an alternative to the private car are supported. However, the proposed contribution of £7.7k per dwelling towards A27 highway improvements applies to new housing across the district even in the NE part of the district where impacts from development on the A27 will be less than developments in the south of the district.

In any event it is unclear how the contributions are justified when the responsibility for trunk road infrastructure improvements rests with National Highways.

The proposed contribution in T1 is therefore questioned and in our view, flawed. The level of contribution set out in the policy and the principle of a contribution will therefore require further testing at the forthcoming Examination.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** No

**Attachments:**

Domusea Reg 19 - <https://chichester.oc2.uk/a/sf5>

## Object

**Document Element:** Duty to Co-operate, 1.23

**Respondent:** Hanbury Properties [1697]

**Agent:** Smith Simmons Partners (Paul White) [7650]

#### Summary:

Object on grounds that: Undertaking to review within 5 years not met; failure to meet duty to cooperate; under provision against need not justified anywhere in discussions with neighbouring authorities.

#### Full text:

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. The Regulation 19 Plan is not legally compliant as it has not been reviewed within 5 years of the last Plan adopted in July 2015. It is also disappointing that the failure of the current Regulation 19 Local Plan to meet objectively assessed need (OAN) of 638 dpa outside the national park has not been properly evidenced in any up to date statement of common ground with neighbouring authorities with regards to the 'duty to cooperate'.

At this stage we believe the Plan as drafted therefore fails the 'positively prepared', 'effective', and 'consistent with national policy' tests.

In addition, with regard to the longer term growth requirements and the singular issue of a potential new settlement the

plan also fails the 'justified' and 'consistent with national policy' tests of soundness.

#### Duty to Cooperate

The 2014-2029 Local Plan adopted in 2015 does not meet the full objectively assessed housing needs for the area. But it did recognise that future proposals to improve the capacity of the A27 and wastewater treatment works could facilitate additional housing growth. For this reason, it committed the Council to a review of the Plan within five years to ensure that housing needs could be met. That undertaking to review within 5 years was not met.

In 2021 the Council invited an advisory visit from PINS to advise on how the present Local Plan should be prepared. The inspector advised that if the Plan was prepared which did not meet the full housing needs of the area, it would have to show that it had followed the duty to co-operate with neighbouring authorities in maximising the effectiveness of plan preparation.

The inspector said the Duty to Cooperate was therefore critical in the preparation of the Local Plan Review. At the time of the meeting, the council said discussions with neighbouring authorities had been carried out on the basis that the Local Plan Review would meet the full objectively assessed housing needs (OAN) for the area. However if this was not the case, the inspector said evidence of constructive, active, and on-going engagement to determine whether or not development needs could be met elsewhere would need to be shown. Importantly, the inspector said, 1) 'a failure to meet the Duty to Cooperate cannot be remedied during the examination process because it applies to the preparation of the Plan, which ends upon submission', and 2) local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before submitting plans for examination.

The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. In the event, the Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted. Appendix 1 of the Statement of Compliance lists those authorities that were consulted during the earlier Regulation 18 Preferred Approach consultation. Appendix 2 lists those authorities where Statements of Common Ground have been agreed with Chichester DC for the Regulation Submission 19 Plan. No statements have been produced or agreed. Therefore as it stands the under provision of housing against OAN in the Plan has not been justified. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy in the NPPF paragraph 24-27 which advises on the duty to cooperate approach.

#### Local Plan Policies

The remainder of these comments deal with the Settlement Hierarchy policy S2, H1, H2 H3 and H8.

#### Policy S2 – Settlement Hierarchy

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

#### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

#### Policy H2 – Strategic Site Allocations and Policy H3 – Non-Strategic Parish Allocations

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

#### Policy H8 – Specialist accommodation for Older People

National policy in the online planning practice guidance (PPG) is clear that the need to provide housing for older people is critical. The guidance on the provision of this type of housing states:

- Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require.
- They could provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.
- It includes the following within the general definition of specialist housing - age-restricted general market housing,

retirement living or sheltered housing, extra care housing or housing-with-care, residential care homes and nursing homes, and senior co-housing communities.

- LPA's can identify sites for co-housing communities and other specialist housing types for older people, because,
- Allocating sites can provide greater certainty for developers and encourage the provision of sites in suitable locations. This may be appropriate where there is an identified unmet need for specialist housing. The location of housing is a key consideration for older people who may be considering whether to move (including moving to more suitable forms of accommodation).

Factors to consider include the proximity of sites to good public transport, local amenities, health services and town centres.

In our view however, draft Policy H8 doesn't reflect the guidance in the PPG. For instance, although the policy sets out a threshold of provision for specialist housing of housing sites of 200 or more units, there is no guidance on the actual % provision as there is for example, on affordable housing. All it says is the specific type and amount of accommodation required will depend on the size and location of the site.

The supply of specialist housing should not just be focused on large scale housing schemes. The landscape and environmental constraints across the district even outside the national park would not necessarily allow for large 200 plus unit schemes in all locations. To support an ageing population policy should support the provision of suitable specialist housing to meet the differing needs of individuals across a range of options and in a range of locations.

The second part of H8 should therefore confirm that proposals for specialist housing, such as homes for older people will be supported without any policy qualification for a site's location within or outside a settlement boundary or within an AONB where a proposal in its local context is not deemed to represent major development.

Rather than rely on the criteria based approach, the policy should also allow for the allocation of sites for specialist accommodation for older people in a Neighbourhood Plan where a site has the support of local people.

#### Change suggested by respondent:

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**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:**

Hanbury Reg 19 - <https://chichester.oc2.uk/a/sf8>

## Object

**Document Element:** Duty to Co-operate, 1.23

**Respondent:** Welbeck Strategic Land IV LLP (Welbeck Land) [7953]

**Agent:** Miss Jess Bain [7952]

#### Summary:

Whilst it is clear that the local authorities have established a joint working approach, it is not clear what has been agreed in the respective Statement of Common Grounds. Paragraph 5.2 of the draft Local Plan states that the district is unable to meet SDNP unmet need, however it is not clear if neighbouring authorities will be able to meet any unmet demand. we therefore consider that this is another reason why in order to be considered to be positively prepared and effective, the Council should be optimising housing delivery especially where these areas are geographically close to SDNP.

#### Full text:

Whilst it is clear that the local authorities have established a joint working approach, it is not clear what has been agreed in the respective Statement of Common Grounds. Paragraph 5.2 of the draft Local Plan states that the district is unable to meet SDNP unmet need, however it is not clear if neighbouring authorities will be able to meet any unmet demand. we therefore consider that this is another reason why in order to be considered to be positively prepared and effective, the Council should be optimising housing delivery especially where these areas are geographically close to SDNP.

#### Change suggested by respondent:

It needs to be clearer what has been agreed in respect of the Statement of Common Ground. It also needs to be clearer whether neighbouring authorities will be able to meet any unmet demands. The council should optimise housing delivery especially where these areas are geographically close to the SDNP.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

230315 - Reg 19 Representations.pdf - <https://chichester.oc2.uk/a/s5s>



## Support

**Document Element:** Duty to Co-operate, 1.23

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification  
Please refer to the attached document.

**Full text:**

Support – with qualification  
Please refer to the attached document.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Local Plan Review Response - Chapter 1.pdf - <https://chichester.oc2.uk/a/s6z>

## Object

**Document Element:** Duty to Co-operate, 1.23

**Respondent:** Seaward Properties Ltd [7119]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

Plan not legally compliant as it has not been reviewed within 5 years of the last Plan adopted in July 2015. Local Plan fails to meet objectively assessed need (OAN) of 638 dpa outside national park and has not been properly evidenced in any up to date statement of common ground with neighbouring authorities with regards to the 'duty to cooperate'. The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. The Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted. No statements of common ground have been produced or agreed. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy (NPPF paragraphs 24-27).

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Seawrd Reg 19 - <https://chichester.oc2.uk/a/sfm>

## Object

**Document Element:** Duty to Co-operate, 1.23

**Respondent:** Home Builders Federation (Mr Mark Behrendt, Local Plans Manager SE and E) [7316]

**Summary:**

Whilst the Council have set out their activities with regard to the duty to co-operate within the compliance statement this document also notes that a none of the required Statements of Common Ground have been agreed, with many are still being drafted. Given that paragraph 26 of the NPPF expects these to be in place throughout the plan making process it is concerning that these are not available for this consultation providing clarity between Chichester District Council (CDC) and relevant parties as to the key issues and the co-operation that has taken place to address these issues.

What is disappointing is that whilst the West Sussex authorities have established mechanism for joint working through the West Sussex and Greater Brighton Planning Board no progress has been made in actually addressing the unmet needs of this area. The Local Strategic Statement (LSS) includes an objective of meeting housing needs for a growing population, yet little has been achieved with the Council suggesting that these matters will be considered in next LSS for 2030 to 2050. The HBF recognises that the area is constrained by the national park and its coastal location but seemingly nothing has been achieved in seeking to move forward. As such we would question whether the mechanisms established in this area have maximised the effectiveness of the preparation of this local plan in addressing the issue of unmet housing needs. The expectation is that cross boundary issues are not pushed forward to future plans or plan reviews, yet this is clearly what is being done in the West Sussex and Greater Brighton area.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

HBF rep Chichester LP march 2023 redacted - <https://chichester.oc2.uk/a/sg6>

## Object

**Document Element:** Duty to Co-operate, 1.23

**Respondent:** Mr Paul Bedford [5302]

**Summary:**

The West Sussex and Greater Brighton Strategic Planning Board (WSGBSPB) provides a context for integrated planning along the coast plain area. It is stated that this board is due to issue a review of its 2016 report next month - does the Plan address any issues that this review may raise? . Housing needs are a major feature of the area and the need to transfer unmet housing demand to adjoining authorities is characteristic feature of past policy. The SA quite categorically states that there would be no realistic potential to meet unmet housing need above the now established LHN figure. Should the WSGBSPB's report signal the need for the district to absorb housing from other areas there may be problems as the Plan does not appear to offer any contingency or process how such pressure might be mitigated.

The highly restricted housing numbers in the South Downs National Park Local Plan and the closeness of its boundary to the 'coastal strip' are contributing factors to the area's carrying and overall capacity to support development. Further constraint is imposed by the Chichester Harbour Area of Outstanding Natural Beauty (AONB) and the geographical physical restrictions of the Manhood Peninsula creating 'coastal squeeze'.

**Full text:**

These comments are confined to the three areas set out in the consultation - Legal, Soundness and Duty to Cooperate and to two documents - the draft Local Plan and the Sustainability Assessment.

**Legal Status**

The Legal status of the Plan is proven but because of the protracted course of the plan's preparation some stages are now dated and raise the question that they should be refreshed. This is the particular case in respect of public participation. There have also been significant changes in legislation that guides the plan's formulation that would have benefited from revised statement of legislative/legal context.

**Soundness**

In the SA it is stated that the key issue for the plan is the A27 and its capacity. This statement is fundamental in that it is realistically outside the scope of the local planning authorities (CDC and West Sussex CC) to have any direct control over. Unless National Highways position is changed from their previous statements on time scales and what might be included in their assessment no consideration of A27 will be made until RIS3 taking any even initial action into the next decade.

So fundamental and influential is the A27 that assessment of Local Housing Need (LHN), a key component of the whole

plan, is reduced from 638 units pa to 535. This position must have an impact on the plan's 'Soundness and crucially the phasing of development.

It is worthy of note that three recent housing appeal decisions unfortunately focused primarily on the lack of a 5yr housing supply base on the 638 higher figure. More pressing were issues of sewage system capacity, coastal inundation and fluvial flooding and nutrient neutrality.

The reduction of housing requirements that the Reg19 LP now promotes is very welcomed.

The reduction on the Manhood Peninsula appears to be derived because of recent housing approvals on appeal bringing forward housing that achieves the revised target based on the 535 figure. Two points arise none of these sites are in locations that CDC indicated in documents such as the HELAA and SHELAA as positively sustainable and as all other significant Peninsula housing is dropped do these sites exceed what would have been planned totals.

The SA 'Framework' only addresses 'Water- protection of resources' this is highly appropriate given the problems experienced in the north eastern part of the district in the summer of 2022 and will become more pressing in the south. Resolution of this issue that stopped planning applications seems to be by reducing water usage at least to 110 ltr ppd or lower this is when Southern Water only hope to achieve 125ltr by 2050.

Consideration in the framework should extend to the 'Water Cycle' and particularly address the acute problems of sewage system network capacity, polluting WWTW outfalls, nutrient neutrality. These systems are already currently stressed/ completely overloaded with current levels of use without new development coming on stream and discharges of untreated sewage are a significant and growing problem to Chichester, Langston and Pagham Harbours- this situation must be set against Defra- Storm Overflow Discharge Reduction Plan's statement "Protecting the Environment-water companies shall only be permitted to discharge from a storm overflow where they can demonstrate that there is no local ecological impact". Damage to Chichester/ Langstone Harbours is documented by a damning Natural England report and by that expected for Pagham Harbour all the sites of national significance for biodiversity and protected habitats. Whilst para 5.2.34 and Box 5.1 of the SA summarise the position no direct statement of intervention is made. Reliance on a 'Statement of Common Ground' that is referred to offers no positive programme of future capital investment by Southern Water (SW) especially when set against SW's overall regional programme its cost and priorities as set out in their draft DWMP- the final version of which is due for release in March this year- does the Plan reflect this documents information that is so crucial to supporting the infrastructure need for the scale of development envisaged is challenging to the plan's 'Soundness'

Time scale of the crucial improvements to infrastructure and particularly sewer and IWWTW capacity is of particular concern. SW's Drainage and Wastewater Management Plan v1 May 2020 set out in very comprehensive way what needs to be achieved and indication of time scale - placing most in AMP8 the next 5 yr business cycle and OFWAT approval would be needed for the scale of expenditure that is many hundred of millions. These time scale constraints should be reflected in the phasing of any housing development that will have to utilise the network. There is no direct indication that such phasing will be actively enforced.

The lack of inclusion in a key background supporting document - Strategic Flood Risk Assessment (SFRA) - of the Planning Practice Guidance on Flood Risk and Coastal Change that has important bearing on issues particularly for the southern plan area and specifically mentions the importance of the phasing of development to infrastructure provision is a concern especially when it was published in August 2022. These omission again have an impact on the Plan's overall 'Soundness'.

A significant consideration in the plan that supports the need for more housing supply is the need to address affordability. The district has one of the highest ratio of median earnings to house prices of 14 times and despite substantial house building during the period 2013 -2022 the ratio has increased from 10.55. It is clear that the type of housing that has occurred and continues to be proposed in the district has done little if anything to impact on affordability and address the need for social/ lower cost housing. Based on the 2011 census the district experienced 1,505 inward migration (only Brighton and Hove being higher in the West Sussex/ Gt Brighton area) - this trend has been expected to have continued and accelerated as the pandemic increased the popularity of coastal property and raised market cost of property. Just building more houses without policy intervention to prioritise social shared ownership housing will most probably prove to further increase the extent of unaffordability with the resultant consequences on workforce - especially to support the district ageing population- and supporting young people to remain in the area they have grown up in or have come to be educated. This aspect is cause concern over the Plan's 'Soundness'.

Considerable emphasis is placed on the issues of nutrient neutrality, damage to biodiversity and pollution of Chichester Harbour AONB but such emphasis is not extended to Pagham Harbour that has a similar ecological status to Chichester and suffers the same degradation issues.

Although Pagham is outside of the nutrient protection zone the factors contributing to nutrient problems are apparent feeding into Pagham. The delayed report on condition for Pagham from Natural England mirroring that for Chichester Hb gives every indication it will indicate the same levels of detriment as those in Chichester Hb. This assumption being supported by condition reports for instance for rife and ditch condition known reports. Added to these factors are known issues relating to untreated discharges from Sidlesham WWTW. The Local Plans's lack of affording Pagham similar consideration to Chichester Hb is an issue that impacts on the Local Plan's overall 'Soundness'.

**Duty to cooperate**

The West Sussex and Greater Brighton Strategic Planning Board (WSGBSPB) provides a context for integrated planning along the coast plain area. It is stated that this board is due to issue a review of its 2016 report next month - does the Plan address any issues that this review may raise? . Housing needs are a major feature of the area and the need to transfer unmet housing demand to adjoining authorities is characteristic feature of past policy. The SA quite categorically states that there would be no realistic potential to meet unmet housing need above the now established LHN figure. Should the WSGBSPB's report signal the need for the district to absorb housing from other areas there may be problems as the Plan does not appear to offer any contingency or process how such pressure might be mitigated.

The highly restricted housing numbers in the South Downs National Park Local Plan and the closeness of its boundary to the 'coastal strip' are contributing factors to the area's carrying and overall capacity to support development. Further constraint is imposed by the Chichester Harbour Area of Outstanding Natural Beauty ( AONB) and the geographical physical restrictions of the Manhood Peninsula creating 'coastal squeeze'.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** No**Attachments:**Chichester District Local Plan Reg19 Submission - <https://chichester.oc2.uk/a/sx9>

## Object

**Document Element:** Duty to Co-operate, 1.23**Respondent:** Reside Developments Ltd [8055]**Agent:** Tetra Tech (Dr Chris Lyons, Director) [8054]**Summary:**

Concern that Local Plan not seeking to address unmet need agreed by West Sussex and Greater Brighton Strategic Planning Board, and cannot meet own need.

Concern no progress following 2016 LSS2

**Full text:**

Please see submitted letter but we do not believe the housing number has been robustly evidenced as we believe the housing requirement could be higher and more sites should be allocated and provided for and we do not believe the Duty to Cooperate has been met.

**Change suggested by respondent:**

See submitted letter

The housing number should be increased as there appears to be additional capacity on the A27 beyond that stated. Additional sites that are currently in the planning system without technical problems and recommended by officers for planning permission should be allocated in the Local Plan to meet the housing need.

There needs to be more certainty on what happens if Neighbourhood Plans and the District Council do not deliver the housing numbers expected in a timely manner.

Policies NE3 and NE4 need to be amended.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** No**Attachments:**CDC Local Plan reps (Willowbrook) redacted - <https://chichester.oc2.uk/a/sx4>

## Object

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**Document Element:** Duty to Co-operate, 1.23

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Horsham District Council plans demonstrate development advancing towards the WGPC boundary along the Arun River, and there is a real prospect of many hundreds of additional houses. Additional proposed major developments nearby at Dunsfold, in Waverley BC, Surrey, will also have incremental pressure on infrastructure local to Wisborough Green. Development in WG will aggregate with the growth of Billingshurst, and other local areas, and should be assessed together, especially with regard to all aspects of infrastructure. WGPC do not believe that spatial planning issues across local authority boundaries are being correctly considered. Incremental gains in WG, a sensitive rural village appear pointless set against the vast developments over the village boundary – poor coordination? CDC's duty of co-ordination with neighbouring authorities seem to only be considered at macro level, ignoring this cumulative effect of development outside CDC NE plan area.

**Full text:**

Support – with qualification  
Please refer to the attached document.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Local Plan Review Response - Chapter 1.pdf - <https://chichester.oc2.uk/a/s6z>

## Object

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**Document Element:** Duty to Co-operate, 1.23

**Respondent:** Gleeson Strategic Land (Mr Peter Rawlinson, Strategic Planner) [855]

**Summary:**

There are concerns that the Plan strategy, specifically the 'constrained' housing requirement figure has led to discussions with Neighbouring Authorities focused on meeting Chichester's unmet need rather than the ability of Chichester to meet the unmet need of neighbouring authorities. It is suggested that the Council should revisit its discussions with neighbouring authorities, particularly the South Downs National Park, to understand any unmet need that can be accommodated within Chichester District, and there is no justified rationale for a suppressed housing requirement figure.

**Full text:**

2.2 Section 110 of the Localism Act 2011 sets out the 'duty to co-operate'. This requires Local Planning Authorities, County Councils and a number of other public bodies to co-operate in relation to strategic cross-boundary matters in the preparation of Development Plans.

2.3 The NPPF (2021) confirms in paragraphs 24 – 27 that LPA's have a duty to cooperate with each other and other prescribed bodies on a range of cross-boundary strategic issues in an effective and continuous manner.

2.4 In terms of the strategic matters, Planning Policy Guidance clarifies that this is a duty to discuss and not a duty to agree. However, LPA's should make the effort in seeking and securing necessary cooperation on cross-boundary issues.

2.5 The consultation is supported by a Duty to Cooperate Statement of Compliance (January 2023), which summarises engagement undertaken up to the point of the Regulation 19 consultation with relevant bodies, including neighbouring authorities.

2.6 In respect of neighbouring authorities, these comprise:

- Arun District Council (ADC);
- East Hampshire District Council (EHDC);
- Havant Borough Council (HBC);
- Horsham District Council (HDC);
- South Downs National Park Authority (SDNPA); and
- Waverley Borough Council (WBC)

2.7 All are at various stages of Plan-making.

2.8 Whilst the Council has demonstrated ongoing engagement with the referenced authorities and other relevant bodies, we are concerned that the Plan strategy, specifically the 'constrained' housing requirement figure, has focused some of these conversations with neighbouring authorities on meeting Chichester's unmet need rather than the ability of Chichester to meet the unmet need of those authorities, most notably the South Downs National Park.

2.9 This is backwards step from the Preferred Approaches consultation (December 2018) which sought to address an element of unmet need through agreement with South Downs National Park.

2.10 As detailed below, we consider there is no justified rationale for a suppressed housing requirement figure and the Council should re-visit its discussions with neighbouring authorities, particular the South Downs National Park, to understand any unmet need which can be accommodated within Chichester District.

**Change suggested by respondent:**

The Council should re-visit its discussions with neighbouring authorities.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/syc>

**Document Element:** Duty to Co-operate, 1.23

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Council may well have fulfilled Duty to Co-operate, (Bellway recognise that West Sussex and Greater Brighton Strategic Planning Board comprises representatives of local planning authorities across West Sussex) however a Local Strategic Statement 3 has not yet been agreed / adopted. Statements of Common Ground are not available on the website at this point. We respectfully reserve our position on this, however Bellway believe that the Local Planning Authority has followed the letter and spirit of the Duty to Cooperate in arriving at the pre-submission plan.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Duty to Co-operate, 1.24

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The plan should explain in greater detail the findings of co-operative working with neighbouring authorities to achieve a more sustainable spatial strategy, that provides a "joined up" spatial vision.

**Full text:**

We support generally the work the planning authority has undertaken in co-operation with neighbouring authorities, but consider weaknesses remain in the sustainable distribution of housing and other development needs that reduces the need for commuting and unnecessary travel.

The plan should explain in greater detail the findings of co-operative working with neighbouring authorities to achieve a more sustainable spatial strategy, that provides a "joined up" spatial vision and does not follow a 'silo-mentality' of providing only for district needs.

The growth of suburbia, beloved by volume housebuilders, and exacerbated by the Government's unduly simplistic approach to meeting local housing need quickly, serves only to exacerbate many of the problems the local plan seeks to address.

Evidence of co-operative working and a step-change from 'more of the same' in terms of housing provision, will make the Plan more sound. It is essential if the plan area is to be protected from inappropriate speculative housing promoted solely on grounds of housing numbers.

The ability of neighbouring authorities, including the National Park, to provide for appropriate, further growth, including that generated within Chichester District but using employment and service opportunities beyond district boundaries, should be explained and reflected in policies and allocations.

**Change suggested by respondent:**

The plan should explain in greater detail the findings of co-operative working with neighbouring authorities to achieve a more sustainable spatial strategy, that provides a "joined up" spatial vision.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Duty to Co-operate, 1.24

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1billion pounds and employs more than 10,000 full time equivalent staff

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

## Object

**Document Element:** Duty to Co-operate, 1.25

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

Not legally compliant as the residents of Tangmere have reported to CDC already.

The council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters but needs to reset the relationship with the residents of Saxon Meadow in order to comply with the principles set out in its principles of community involvement. Statements of Common Ground with relevant strategic policy-making authorities are currently being prepared and will be made available for review on the council's website. These statements will be kept under review and updated with progress made on addressing identified key issues, along with any new evidence available.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergency"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"



6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversity"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"
23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

#### Change suggested by respondent:

Reset the relationship with the residents of Saxon Meadow in order to comply with the principles set out in its principles of community involvement .

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Cover Letter - <https://chichester.oc2.uk/a/stj>

Para-1.17 - <https://chichester.oc2.uk/a/stk>

Para-1.25 - <https://chichester.oc2.uk/a/stz>

Para-2.54 - <https://chichester.oc2.uk/a/stm>

Para-3.14 - <https://chichester.oc2.uk/a/stn>

Para-4.16 - <https://chichester.oc2.uk/a/sty>

Para-4.32 - <https://chichester.oc2.uk/a/stp>

Para-4.92 - <https://chichester.oc2.uk/a/stq>

Para-7.21 - <https://chichester.oc2.uk/a/s3r>

Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Duty to Co-operate, 1.25

**Respondent:** Chichester and District Cycle Forum (Mr Ian Sumnall, Retired) [5361]

**Summary:**

No Statement of Common Ground has been agreed with neighbouring authorities and key statutory undertakers as required. e.g. National Highways. It is not sufficient to say this will be done in the future as many the large housing proposals require key infrastructure to be agreed in advance of development.

**Full text:**

No Statement of Common Ground has been agreed with neighbouring authorities and key statutory undertakers as required. e.g. National Highways. It is not sufficient to say this will be done in the future as many the large housing proposals require key infrastructure to be agreed in advance of development.

**Change suggested by respondent:**

Agreed Statements of Common Ground need to be agreed before the Draft plan is examined in public so that all parties can debate the practicality as well as the desirability of the key allocations. There are an absence of transport measures proposed, especially sustainable and active, to address the current levels of congestion, pollution and degradation of the environment.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Duty to Co-operate, 1.25

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

The Council has not engaged constructively with Chichester Harbour Conservancy. In the run-up to this consultation, there has been no dialogue to address the key strategic matters of housing provision, biodiversity, the landscape and setting of the AONB, etc. The Conservancy has not yet been asked to agree a Statement of Common Ground. This is all disappointing since the Conservancy is the Statutory Joint Advisory Committee for the AONB, yet we are not part of the plan-making process.

**Full text:**

The Council has not engaged constructively with Chichester Harbour Conservancy. In the run-up to this consultation, there has been no dialogue to address the key strategic matters of housing provision, biodiversity, the landscape and setting of the AONB, etc. The Conservancy has not yet been asked to agree a Statement of Common Ground. This is all disappointing since the Conservancy is the Statutory Joint Advisory Committee for the AONB, yet we are not part of the plan-making process.

**Change suggested by respondent:**

1. List the local authorities and organisations that are being actively engaged.
2. Make an effort to come and speak to the Conservancy about the Local Plan, the value of the AONB, the Wildlife Corridors, etc.
3. Seek a Statement of Common Ground with the Conservancy.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Duty to Co-operate, 1.25

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

It is woeful that strategic policy 'Statements of Common Ground' were not agreed prior to the preparation.

There are statements within the evidence base pertaining to infrastructure and future delivery that do not reflect concerns at the current local situation, and the stresses that are already apparent. WGPC and the other northern parishes concerns are not being taken seriously by CDC.

**Full text:**

Support – with qualification

It is woeful that strategic policy 'Statements of Common Ground' were not agreed prior to the preparation.

There are statements within the evidence base pertaining to infrastructure and future delivery that do not reflect concerns at the current local situation, and the stresses that are already apparent. WGPC and the other northern parishes concerns are not being taken seriously by CDC.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Duty to Co-operate, 1.25

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

It is woeful that strategic policy 'Statements of Common Ground' were not agreed prior to the preparation.

There are statements within the evidence base pertaining to infrastructure and future delivery that do not reflect concerns at the current local situation, and the stresses that are already apparent. WGPC and the other northern parishes concerns are not being taken seriously by CDC.

**Full text:**

Support – with qualification

It is woeful that strategic policy 'Statements of Common Ground' were not agreed prior to the preparation.

There are statements within the evidence base pertaining to infrastructure and future delivery that do not reflect concerns at the current local situation, and the stresses that are already apparent. WGPC and the other northern parishes concerns are not being taken seriously by CDC.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Duty to Co-operate, 1.25

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

Para 1.25 of the draft plan states that "the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters." Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:



“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: "The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area's main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population."

This is clearly the appropriate focus for meeting the District's development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft

Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

#### 4. Climate Change and the Natural Environment

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car

dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide has "run out of road" no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct,

safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

## 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: “1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

“Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council’s Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car.”

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can



be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d’être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process

to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel." (our emphasis)

Within the text quoted above, references to National Highways and "the Company" can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District's identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan's own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous "predict and provide" solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

"Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the

first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan

area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

"9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised."

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered "severe" in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

"(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and..."

At limb v) the Policy expects developers to meet the "in perpetuity costs of operating and maintaining infrastructure". This shackles development management decisions to developers assuming what are infinite costs – given that "in perpetuity", read properly, can only mean "without any limit in time". This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council’s aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

“...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and...”

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been

engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park  
Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and



less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ...

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

" ...

### 9.5. Policy A7 Land at Shopwhyke Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

### 9.6. Policy A8 Land East of Chichester Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“ ...

12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;

...”

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“ ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

“ ...”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“ ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

“ ...”

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

"...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian

routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the and impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“...  
8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:**

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx -  
<https://chichester.oc2.uk/a/skh>

## Object

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**Document Element:** Duty to Co-operate, 1.25

**Respondent:** Millwood Designer Homes [7063]

**Agent:** Savills (Laura Eacott, Graduate Planner) [8144]

**Summary:**

CDC must complete the Statements of Common Ground before the Plan progresses any further. There remains a present requirement to adhere to the Duty to Cooperate, which in future will require that relevant Local Plans 'align'.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/skj>

## Object

---

**Document Element:** Duty to Co-operate, 1.25

**Respondent:** Beechcroft Developments Limited [8188]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

Procedure set out in NPPF and PPG has not been followed; overwhelming unmet need for housing not addressed in evidence for plan; no statement of common ground demonstrating how A27 cross-boundary issues has or will be resolved.

**Full text:**

See attachments.

**Change suggested by respondent:**

Statements of common ground will need to be prepared and published, in accordance with procedural requirements. These will then need to be considered and reflected in the emerging Local Plan which need to be consulted upon again in light of this evidence.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp5>

Appendix 1 - Representations on Housing Requirement and Supply - <https://chichester.oc2.uk/a/sp6>

Appendix 2 - Statement of Representations - A27 Mitigation Contributions - <https://chichester.oc2.uk/a/sp7>



## Object

**Document Element:** Duty to Co-operate, 1.25

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Object on grounds that CDC cannot demonstrate that Local Plan policies have been developed through effective, ongoing and constructive engagement with Prescribed Bodies; there are no up to date, published and agreed SOCGs with any Prescribed Bodies to support Pre-Submission Local Plan; KPC had issued multiple FOIs to CDC to determine the state of the SOCGs regarding Water Neutrality yet were rejected each time by CDC.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

**Document Element:** Duty to Co-operate, 1.27

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

Objection: The plan has not been positively prepared and will not meet the needs of the horticultural industry and accordingly fails to take the opportunities available to deliver economic growth and create local jobs.

The national significance of the horticultural industry is acknowledged in paragraph 2.6 of the Coastal West Sussex and Greater Brighton Local Strategic Statement for Delivering Sustainable Growth 2015-2031. Accordingly, the Chichester Local Plan will need to ensure that the competitiveness of the industry is maintained.

**Full text:**

Objection: The plan has not been positively prepared and will not meet the needs of the horticultural industry and accordingly fails to take the opportunities available to deliver economic growth and create local jobs.

The national significance of the horticultural industry is acknowledged in paragraph 2.6 of the Coastal West Sussex and Greater Brighton Local Strategic Statement for Delivering Sustainable Growth 2015-2031. Accordingly, the Chichester Local Plan will need to ensure that the competitiveness of the industry is maintained.

**Change suggested by respondent:**

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sbx>

23-03-17 Chichester Food Hub report 4th Draft Issue.pdf - <https://chichester.oc2.uk/a/sdb>

## Object

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**Document Element:** Duty to Co-operate, 1.28

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The plan does not explain sufficiently how key strategic and cross-boundary issues are being addressed through the plan and across the plan area. One crucial area missing from the list of examples of effective outcomes is economic impact, and its role in protecting and enhancing the physical and environmental objectives of the plan (and wider) area. Authorities should jointly promote a vibrant and sustainable economy, which recognises and enhances the assets which contribute to and comprise that economic activity.

**Full text:**

The plan does not explain sufficiently how key strategic and cross-boundary issues are being addressed through the plan and across the plan area. One crucial area missing from the list of examples of effective outcomes is economic impact, and its role in protecting and enhancing the physical and environmental objectives of the plan (and wider) area. Authorities should jointly promote a vibrant and sustainable economy, which recognises and enhances the assets which contribute to and comprise that economic activity.

**Change suggested by respondent:**

Explain in detail how key strategic and cross-boundary issues are being addressed through the plan and across the plan area

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

---

**Document Element:** How the Plan has developed, 1.33

**Respondent:** Chichester City Council Neighbourhood Plan Steering Group (Councillor Sarah Quail) [8184]

**Summary:**

Vision document now over 5 years old, prepared before Covid 19 pandemic. Update to assumptions behind it is required given response to Covid 19 affected working patterns, residential and business requirements and retail habits. Chichester Neighbourhood plan team will be able to address gaps and outdated aspects of Vision document.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/syp>

## Object

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**Document Element:** How the Plan has developed, 1.34

**Respondent:** Chichester and District Cycle Forum (Mr Ian Sumnall, Retired) [5361]

**Summary:**

The last public consultation stage concluded in February 2019, as set out in the latest Statement of Community Involvement published in Nov. 2018. Many matters have changed since then, especially Government policy.

**Full text:**

The last public consultation stage concluded in February 2019, as set out in the latest Statement of Community Involvement published in Nov. 2018. Many matters have changed since then, especially Government policy.

**Change suggested by respondent:**

The Plan should take greater account of Climate Change commitments made at Cop 26 for instance. This could have been done and been subject to public consultation.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

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**Document Element:** How the Plan has developed, 1.37

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

There has been no further public consultation on the preferred approach since 2018/19, four years have passed since this time. The issues that were raised during that consultation are still relevant today, and have not been addressed within the new proposed Plan.

**Full text:**

There has been no further public consultation on the preferred approach since 2018/19, four years have passed since this time. The issues that were raised during that consultation are still relevant today, and have not been addressed within the new proposed Plan. The reduction in housing numbers in the revised plan does not adequately reflect the challenges and constraints of the infrastructure issues, particularly waste water treatment and the A27. The impact on sensitive landscapes has not been properly addressed, with 1,600 houses proposed on the Chichester Harbour AONB boundary without active engagement with Chichester Harbour Conservancy over the impact (particularly the allocated site A11 at Highgrove Farm, Bosham).

**Change suggested by respondent:**

This is a comment only

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqd>

## Object

**Document Element:** How the Plan has developed, 1.37

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

Some of my comments from the Preferred Approach consultation were deleted by the planning authority without warning. I only spotted this when I went back to see what I had written to help someone else with another matter. Their reason being that they 'thought they were a duplication' of comments written in another section. This was not the case - related points were linked by reference to each other but each was individually written and included proposed modifications to the wording.

**Full text:**

Some of my comments from the Preferred Approach consultation were deleted by the planning authority without warning. I only spotted this when I went back to see what I had written to help someone else with another matter. Their reason being that they 'thought they were a duplication' of comments written in another section. This was not the case - related points were linked by reference to each other but each was individually written and included proposed modifications to the wording.

**Change suggested by respondent:**

The inspector should investigate how many people's comments were deleted. Given the amount of responses they actually acknowledge, the plan should have been re-consulted on before the S19 consultation.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** How the Plan has developed, 1.37

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

### Summary:

The Plan is not positively prepared. The proposed expansion of HDAs is welcome. However the council's current approach to restrictions on co-location of functionally linked businesses and activities within the food park/cluster is impacting on business competitiveness and efficiency.

### Full text:

Object

It is welcomed that the Regulation 19 Local Plan has responded positively to the representations made previously by Kingsbridge Estates and Landlink Estates insofar as the Runcton HDA has now increased in terms of land allocation.

To realise the benefits of the HDAs in accordance with contemporary food production and distribution practices, the Council also needs to pursue a more positive and proactive wording of the HDA policy within this Regulation 19 consultation to allow for a greater breadth of associated uses within the Runcton HDA. The proposed wording of the policy does not provide sufficient certainty to investors and businesses (both established within Runcton HDA or looking to locate within it) that the Council will support the functionally associated uses that are necessary to foster and maintain the growth and competitiveness of a world-class food cluster.

The restrictive nature of the existing HDA policy is identified by stakeholders within the 2018 HEDNA (para 11.78) as having been a barrier to growth, whilst the importance of associated uses to the cluster is also acknowledged within the Council's evidence base and other key Government and Industry publications.

The Local Plan therefore conflicts with paragraph 81 of the NPPF in its entirety which states:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation 42, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

### Change suggested by respondent:

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

### Attachments:

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sbz>

23-03-17 Chichester Food Hub report 4th Draft Issue.pdf - <https://chichester.oc2.uk/a/sdc>

## Object

**Document Element:** How the Plan has developed, 1.37

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Concerns with length of delay between Regulation 18 and 19 consultations. Regulation 19 consultation only allows for comments relating to soundness of Plan, not its content, and there are a number of new policies. Since Regulation 18 consultation in 2018 a number of large events/changes have taken place including Covid and NPPF changes, as well as new constraints such as water and nutrient neutrality.

Main concern is how up to date the evidence base remains and if Plan will stand up to Examination and be considered sound. Concerned that five years between Regulation 18 and 19 is too long without fully updated evidence base.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

**Document Element:** How the Plan has developed, 1.38

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

The Local Plan is not positively prepared. The proposed expansion of HDAs is welcome. However the council's current approach to restrictions on co-location of functionally linked businesses and activities within the food park/cluster is impacting on business competitiveness and efficiency. There is no mechanism in place for either the acknowledged or unacknowledged horticultural need to be met via the proposed allocation at Land South of Bognor Road.

**Full text:**

Object

Paragraph 8 of the NPPF recognises an economic objective as one of the three core tenets underpinning achieving sustainable development.

The failure to allow for functionally linked development within the Runcton HDA that could not reasonably be construed as ancillary development, would unduly constrain the economic potential of the horticultural industry within the Chichester District. The development and siting of associated and functionally linked businesses within the Runcton HDA would support the continued creation of local jobs and assist at providing employment opportunities that meet the needs of the residents of the dwellings planned to be delivered within the Local Plan period.

The correlation between the draft allocation 20 for business development to locate at Land South of Bognor Road and Runcton HDA offers no guarantee that land or premises within that allocation would be suitable for, or become available at the right time, to perform a complimentary function for the Runcton HDA.

**Change suggested by respondent:**

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/scr>  
23-03-17 Chichester Food Hub report 4th Draft Issue.pdf - <https://chichester.oc2.uk/a/sdd>

## Object

**Document Element:** How the Plan has developed, 1.38

**Respondent:** Gleeson Strategic Land (Mr Peter Rawlinson, Strategic Planner) [855]

**Summary:**

The Chichester Transport Study has concluded the southern planning area can generally accommodate 700 dwellings per annum, with proposed mitigation. The SA conclusion that there is capacity for no more than 535dpa is therefore fundamentally flawed.

The SA must be revisited given that this factual flaw goes to the heart of the process of selecting and testing reasonable alternative options. Consequentially, the draft CLP decision-making making process will also need to be revisited, as this too has been infected by the factually incorrect SA.

**Full text:**

e) Sustainability Appraisal

2.43 By way of context to these representations, we note that the Chichester Transport Study, dated January 2023, concludes at paragraphs 5.6.5 and 11.2.3:

"5.6.5 It is concluded that in the main, the 700 dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535 dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700 dpa demands, with additional mitigation being required. As no schemes have been designed to date, it would be advisable to retain some costs against for future works against Portfield Roundabout as a minimum."

"11.2.3 A sensitivity test with 700 dpa has been undertaken. It is concluded that in the main, the 700 dpa demands can generally be accommodated by the mitigation proposed for the 535 dpa core test, although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700 dpa demands and these junctions may need to consider further mitigation. As no schemes have been designed to date, it would be advisable to retain some cost against for future works against Portfield Roundabout as a minimum. It is unlikely there would be significant capacity in the network beyond 700 dpa, considering full mitigation package."

2.44 Although the Transport Study is dated January 2023, it is noted that the report's Document Control Sheet (page ii) confirms it was first issued back in April 2022, and has since been the subject of revisions prior to finalisation.

2.45 The Transport Study conclusion that 535 dwellings per annum (dpa) was not an absolute 'cap' to housing development within the southern planning area was therefore well known to the Council during the time that the SA was being prepared to inform draft CLP decision-making process.

2.46 In view of the above, we are fundamentally concerned that the basis of the reasonable alternatives tested have been infected by a fundamentally flawed starting point conclusion that there is capacity for no more than 535 dpa within the southern planning area:

"The southern plan area (i.e. the east west corridor and Manhood Peninsula) is highly constrained by capacity on the A27. Detailed discussions with National Highways and WSCC, over the course of 2019-2022, have led to a resolution that there is capacity for no more than 535 dpa in this area" (paragraph 5.2.11, first bullet).

2.47 The SA must be revisited given that this factual flaw goes to the heart of the process of selecting and testing reasonable alternative options. Consequentially, the draft CLP decision-making making process will also need to be revisited, as this too has been infected by the factually incorrect SA.

**Change suggested by respondent:**

The Chichester Transport Study has concluded the southern planning area can generally accommodate 700 dwellings per annum, with proposed mitigation. The SA conclusion that there is capacity for no more than 535dpa is therefore fundamentally flawed.

The SA must be revisited given that this factual flaw goes to the heart of the process of selecting and testing reasonable alternative options. Consequentially, the draft CLP decision-making making process will also need to be revisited, as this too has been infected by the factually incorrect SA.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

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**Document Element:** How the Plan has developed, 1.38

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

The SA's that have been undertaken appear to be have been done to fit the proposed site allocations not vice versa. Sites that seem to have a better sustainability appraisal seem to have been ignored/modified/rejected for no apparent reasons or wighting has not been given to sustainable items such as distance fromt transport hubs and ability and proposensity to offset/mitigate environmental factors have been ignored. I refer specifically to the HighGrove and French Gardens sites in the Bosham section.

**Full text:**

The SA's that have been undertaken appear to be have been done to fit the proposed site allocations not vice versa. Sites that seem to have a better sustainability appraisal seem to have been ignored/modified/rejected for no apparent reasons or wighting has not been given to sustainable items such as distance fromt transport hubs and ability and proposensity to offset/mitigate environmental factors have been ignored. I refer specifically to the HighGrove and French Gardens sites in the Bosham section.

**Change suggested by respondent:**

Sustainability Appraisals should be independently assessed for soundness and the. sections they inform be rewritten on that basis.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** How the Plan has developed, 1.39

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Identification and protection of important environmental sites is supported, but we request that similar identification is made of other important areas that contribute positively to the economic and environmental well-being of the district; including landscape, economic and heritage assets. Policies to protect and enhance these areas as an essential component of a sustainable strategy is vital.

**Full text:**

Identification and protection of important environmental sites is supported, but we request that similar identification is made of other important areas that contribute positively to the economic and environmental well-being of the district; including landscape, economic and heritage assets. Policies to protect and enhance these areas as an essential component of a sustainable strategy is vital.

**Change suggested by respondent:**

Identification and protection of important environmental sites is supported, but we request that similar identification is made of other important areas that contribute positively to the economic and environmental well-being of the district; including landscape, economic and heritage assets. Policies to protect and enhance these areas as an essential component of a sustainable strategy is vital.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Support

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**Document Element:** How the Plan has developed, 1.39

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Support in principle.

**Full text:**

Identification and protection of important environmental sites is supported, but we request that similar identification is made of other important areas that contribute positively to the economic and environmental well-being of the district; including landscape, economic and heritage assets. Policies to protect and enhance these areas as an essential component of a sustainable strategy is vital.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** How the Plan has developed, 1.41

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

The plan does not provide adequate provision for self build or for people who would like to live in Passivhaus or similar standard buildings.

**Full text:**

The plan does not provide adequate provision for self build or for people who would like to live in Passivhaus or similar standard buildings.

**Change suggested by respondent:**

Greater weight should be given to these elements of the plan by encouraging smaller sites to be allocated driving innovation and in this context choice of lifestyle.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.1

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

"There are 33 parish councils located within the Local Plan area, including six parishes which are also partly located within the South Downs National Park." Since this is a section on characteristics, why is the AONB not acknowledged?

**Full text:**

"There are 33 parish councils located within the Local Plan area, including six parishes which are also partly located within the South Downs National Park." Since this is a section on characteristics, why is the AONB not acknowledged?

**Change suggested by respondent:**

"There are 33 parish councils located within the Local Plan area, including six parishes which are also partly located within the South Downs National Park, 7 parishes which are partly located within the Chichester Harbour Area of Outstanding Natural Beauty (AONB), and 1 parish located entirely within the AONB."

~ Every time the South Downs National Park is cited, you need to think, 'Should we also cite Chichester Harbour AONB, since they are both protected landscapes?' I understand parishes that cross the boundary in the Park will be subject to two Local Plans, but that is not the point. If the Plan is written such as way so as to not give equal status to the South Downs and Chichester Harbour, then the policies and their interpretation will be affected - Chichester Harbour will be seen as second class to the National Park.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.1

**Respondent:** Lynn Reel [8121]

**Summary:**

Support's SOSCA's objection - A27 huge barrier to accessing city. A259 under growing stress from increased housing.

**Full text:**

Supports SOSCA's Submission as attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/sfy>

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.1

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

The Plan, as worded, risks confusion and unsoundness in its use of language for 'landscape' and how it applies 'landscape'. Landscape should adhere to the European Landscape Convention definition. Policy and supporting text switches between terms such as 'rural setting', 'countryside' and 'natural landscape'. Whilst countryside is defined in planning terms, the others are not, and their use within the Plan is inconsistent. Assumptions about landscape appear to be made in areas where there is no evidence.

**Full text:**

Plaistow and Ifold Parish Council seeks to act in the capacity of critical friend to ensure that the Local Plan is fit for purposes and expertly drafted to avoid confusion in its future application.

It is the Council's view that the following matter(s) should be addressed to ensure the Plan is sound i.e., justified, effective and consistent with national policy.

In general terms (strategic matters) the Plan, as worded, risks confusion and unsoundness in terms of its use of language for 'landscape' and how it applies 'landscape'.

- The Plan should adhere to the European Landscape Convention definition of Landscape. This is adhered to by Landscape professionals and Protected Landscapes, and is required in terms of plan-making (<https://www.gov.uk/government/publications/european-landscape-convention-guidelines-for-managing-landscapes>).
- This definition is even more important because policy and supporting text appears to switch between terms such as 'rural setting', 'countryside' and 'natural landscape'. Whilst countryside is defined in planning terms, the others are not, and their use within the Plan is inconsistent. The foundation of the Plan and its understanding of the different areas is 'landscape character' and so it is this which the policies are seeking to conserve and enhance. The landscape evidence upon which the Plan relies (the Capacity Study 2019) is all about landscape character, which is how landscape is understood in planning terms. Therefore, the Plan should refer to "conserving and enhancing landscape character", or "ensuring no adverse effects upon landscape character". This will ensure the Plan links directly back to its evidence base and avoids confusing terminology in the policies themselves.
- The relationship between landscape character and other areas of policymaking is not yet joined-up.
- The Plan's evidence for landscape uses the Landscape Character Assessment method. This is the accepted way to understand landscape for planning (Policy and DM). However, the Capacity Study (2019), does not cover the whole District. Yet assumptions about landscape appear to be made in areas where there is no evidence. For example, in the Sustainability Appraisal's (SA) assessment of the site at Crouchlands Farm, there is no landscape evidence to support the finding that the landscape would be benefitted by a development. Indeed, the opposite is considered to be the case. This calls into question other aspects of the SA, which might also be founded upon an incomplete landscape evidence-base.

Given the Plan's aspiration to maintain the landscape quality, particularly in the North of the Plan Area, this quality is found through landscape character assessment, which is the evidence-base. In order to meet the Plan's own ambition, the policies, and supporting text, must be consistent and refer to landscape character too, which, in the North of the Plan Area happens to be rural.

**Change suggested by respondent:**

To meet the Plan's ambition to maintain landscape quality, the policies and supporting text must be consistent and refer to landscape character.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.1

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

Support in principle

**Full text:**

Plaistow and Ifold Parish Council seeks to act in the capacity of critical friend to ensure that the Local Plan is fit for purposes and expertly drafted to avoid confusion in its future application.

It is the Council's view that the following matter(s) should be addressed to ensure the Plan is sound i.e., justified, effective and consistent with national policy.

In general terms (strategic matters) the Plan, as worded, risks confusion and unsoundness in terms of its use of language for 'landscape' and how it applies 'landscape'.

- The Plan should adhere to the European Landscape Convention definition of Landscape. This is adhered to by Landscape professionals and Protected Landscapes, and is required in terms of plan-making (<https://www.gov.uk/government/publications/european-landscape-convention-guidelines-for-managing-landscapes>).
- This definition is even more important because policy and supporting text appears to switch between terms such as 'rural setting', 'countryside' and 'natural landscape'. Whilst countryside is defined in planning terms, the others are not, and their use within the Plan is inconsistent. The foundation of the Plan and its understanding of the different areas is 'landscape character' and so it is this which the policies are seeking to conserve and enhance. The landscape evidence upon which the Plan relies (the Capacity Study 2019) is all about landscape character, which is how landscape is understood in planning terms. Therefore, the Plan should refer to "conserving and enhancing landscape character", or "ensuring no adverse effects upon landscape character". This will ensure the Plan links directly back to its evidence base and avoids confusing terminology in the policies themselves.
- The relationship between landscape character and other areas of policymaking is not yet joined-up.
- The Plan's evidence for landscape uses the Landscape Character Assessment method. This is the accepted way to understand landscape for planning (Policy and DM). However, the Capacity Study (2019), does not cover the whole District. Yet assumptions about landscape appear to be made in areas where there is no evidence. For example, in the Sustainability Appraisal's (SA) assessment of the site at Crouchlands Farm, there is no landscape evidence to support the finding that the landscape would be benefitted by a development. Indeed, the opposite is considered to be the case. This calls into question other aspects of the SA, which might also be founded upon an incomplete landscape evidence-base.

Given the Plan's aspiration to maintain the landscape quality, particularly in the North of the Plan Area, this quality is found through landscape character assessment, which is the evidence-base. In order to meet the Plan's own ambition, the policies, and supporting text, must be consistent and refer to landscape character too, which, in the North of the Plan Area happens to be rural.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.1

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

Given the long period of time elapsed since the 2018 Reg 18 consultation and clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all.

LSS2 is currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b.

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it’s rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.

- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently

effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands

affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

### 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.



As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way

- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method...” The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

“5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU’s) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa.”

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: “New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas.” (our emphasis).

It continues at paragraph 13: “where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people’s mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and

neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified.” (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that “includes moving away from transport planning based on predicting future demand to provide capacity (‘predict and provide’) to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including ‘vision and validate,’ ‘decide and provide’ or ‘monitor and manage’). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages.” (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN “Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference.” (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this

is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.



Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to "roll forward" this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport

Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of "zero-sum" game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous "predict and provide" approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that "shared mobility" – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this "cars first" approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester "This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone." This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council "has moved away from 'predict and provide'" and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a "predict and provide" strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be

decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d'être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 "Development and the Strategic Highways Network", applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

"31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

#### 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the

need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;

2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

“d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities”;

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site”

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective “tick box” exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures

are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.



The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The

current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ...

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

" ...

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via

Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

"...  
12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities

and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“ ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“ ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

”

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made

sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

"...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It

has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms

closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

“Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the ‘Five Villages’ area in Arun District; and..”

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

"...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

#### **Attachments:**

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx -  
<https://chichester.oc2.uk/a/skh>



## Support

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.2

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support.

CDC's own Landscape Capacity Study in the evidence base demonstrates the rural nature of this area.

**Full text:**

Support.

CDC's own Landscape Capacity Study in the evidence base demonstrates the rural nature of this area.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.2

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

The Plan does not currently recognise that the scale of settlements in the North of the Plan Area is materially different from the rest of the District.

Settlements are 'small and dispersed'. It is the small scale and dispersed pattern of the settlements within the North of the Plan Area that give this part of the District its landscape character.

The nuance of this point should not be underestimated, and the drafting should be tighter to ensure sensitive, landscape led planning decisions within the North of the Plan Area.

**Full text:**

The Plan does not currently recognise that the scale of settlements in the North of the Plan Area is materially different from the rest of the District.

Settlements are 'small and dispersed'. It is the small scale and dispersed pattern of the settlements within the North of the Plan Area that give this part of the District its landscape character.

The nuance of this point should not be underestimated, and the drafting should be tighter to ensure sensitive, landscape led planning decisions within the North of the Plan Area.

**Change suggested by respondent:**

Please amend to match the evidence base: insert "a number of small-scale dispersed settlements..."

The North of the Plan Area is primarily rural in character with diverse landscapes, rich cultural and heritage assets and a number of SMALL-SCALE dispersed settlements, some of which are relatively isolated and served by narrow lanes with limited public transport.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.2

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

The representation that the East West Corridor has the 'best transport connections ... with the A27 and railway running throughout.'

This is a gross generalisation. When you take the newly proposed Settlement Hub of Tangmere the nearest access to rail is 10 kilometres, to Chichester station to the west and Barnham Station to the East.

A non-existent option for anything other than connecting by a bus, car or taxi or non-existent safe cycle route.

There is a lack of rail infrastructure for the majority of development in this Corridor.

**Full text:**

The representation that the East West Corridor has the 'best transport connections ... with the A27 and railway running throughout.'

This is a gross generalisation. When you take the newly proposed Settlement Hub of Tangmere the nearest access to rail is 10 kilometres, to Chichester station to the west and Barnham Station to the East.

A non-existent option for anything other than connecting by a bus, car or taxi or non-existent safe cycle route.

This is a lack of rail infrastructure for the majority of development in this Corridor.

**Change suggested by respondent:**

Clean up this statement to read the proposed Tangmere Settlement Hub of some 6000 people will lack any direct access to rail services without a 10 kilometre journey by road. This is a recognised weakness in the plan.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.2

**Respondent:** Mr Phillip Luff [8017]

**Summary:**

The area of Plaistow/ Ifold/ Loxwood/ Kirdford is indeed very different from other areas of the CDC, in that the villages are small, the area is much more rural in nature, infrastructure is much less developed than more built-up areas (eg the access roads into and through Plaistow are lanes not roads) and most of the local population have chosen to live here because of those things.

**Full text:**

The area of Plaistow/ Ifold/ Loxwood/ Kirdford is indeed very different from other areas of the CDC, in that the villages are small, the area is much more rural in nature, infrastructure is much less developed than more built-up areas (eg the access roads into and through Plaistow are lanes not roads) and most of the local population have chosen to live here because of those things.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.2

**Respondent:** Mr Stuart Lockwood [8029]

**Summary:**

The North of the Plan Area is primarily rural in character with diverse landscapes, rich cultural and heritage assets and a number of dispersed settlements, some of which are relatively isolated and served by narrow lanes with limited public transport.

Your own description details the isolated nature of the communities here in the North and of the limited public transport and narrow lanes. How on earth could you consider planning new developments of houses when the local infrastructure in place at the moment is not sufficient to sustain them ??

**Full text:**

The North of the Plan Area is primarily rural in character with diverse landscapes, rich cultural and heritage assets and a number of dispersed settlements, some of which are relatively isolated and served by narrow lanes with limited public transport.

Please see above. Your own description details the isolated nature of the communities here in the North and of the limited public transport and narrow lanes. How on earth could you consider planning new developments of houses when the local infrastructure in place at the moment is not sufficient to sustain them ??

**Change suggested by respondent:**

If further development is planned then the infrastructure needs to be improved first surely. The roads, water neutrality, schooling, public transport and doctors surgeries are all strained in this area at present. Further development will only exasperate this.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.2

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which

agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport

and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...

...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”  
Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

"To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process."

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a "sustainable or integrated" transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and "East of Chichester" (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary "The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks". This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of

increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10



percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the ‘Five Villages’ area in Arun District.” We unequivocally endorse this conclusion. Realising a “game-changing” level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed

development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be “enhanced” and “reinforced”.

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In

particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

### 3.2. Policy S2 Settlement Hierarchy

#### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the

further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method...” The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

“5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa.”

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study.

This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support

the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan’s spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

### 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive,

both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has be considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.



Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Cooperate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core raison d’être.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable

modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

...”

7.3. Policy T2 Transport and Development  
Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan’s own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan’s Strategic Objectives cannot be fulfilled and

the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

“b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;”

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

“d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities”;

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site”

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective “tick box” exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;

- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic

core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, un specific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ..."

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.



As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

“ ...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

...”

#### 9.5. Policy A7 Land at Shopwhyke

##### Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a

new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“  
...  
12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
...”

9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“  
...  
9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;  
...”

9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“  
...  
5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis o maximising

the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

..."

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

“...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the and impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“... ”

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### **Change suggested by respondent:**

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx -  
<https://chichester.oc2.uk/a/skh>

## Object

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.3

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

### Summary:

Chichester is the main settlement and centre for the district's economic well-being and growth and it is correct it should be the focus for new sustainable development. When identifying the city and its environs as such, the plan must be equally confident all elements which make the city special and which contribute its character, wealth, quality of life and attractiveness, are not lost or damaged through inappropriately located, densities and forms of new development.

### Full text:

Chichester is the main settlement and centre for the district's economic well-being and growth and it is correct it should be the focus for new sustainable development. When identifying the city and its environs as such, the plan must be equally confident all elements which make the city special and which contribute its character, wealth, quality of life and attractiveness, are not lost or damaged through inappropriately located, densities and forms of new development. The plan should identify and support specific policies that protect and enhance these key elements to sustain Chichester as a key economic and historic centre.

### Change suggested by respondent:

The plan should identify and support specific policies that protect and enhance these key elements to sustain Chichester as a key economic and historic centre.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

### Attachments:

L.CDC LP Rep 1 Jan 2023 REDACTED - <https://chichester.oc2.uk/a/sgt>

## Support

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.3

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

### Summary:

Support in principle.

### Full text:

Chichester is the main settlement and centre for the district's economic well-being and growth and it is correct it should be the focus for new sustainable development. When identifying the city and its environs as such, the plan must be equally confident all elements which make the city special and which contribute its character, wealth, quality of life and attractiveness, are not lost or damaged through inappropriately located, densities and forms of new development. The plan should identify and support specific policies that protect and enhance these key elements to sustain Chichester as a key economic and historic centre.

### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

### Attachments:

L.CDC LP Rep 1 Jan 2023 REDACTED - <https://chichester.oc2.uk/a/sgt>

## Object

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.3

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

The Strategic Objectives do not conform with Chapter 9 paras 104 and 105 NPPF in these foundational requirements adequately, to transparently steer the plan strategy. Wording should be amended.

Paragraph 2.36 - There is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 - The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a "sustainable or integrated" transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly



the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively. The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to "predicting and providing" for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence



The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that “includes moving away from transport planning based on predicting future demand to provide capacity (‘predict and provide’) to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including ‘vision and validate,’ ‘decide and provide’ or ‘monitor and manage’). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages.” (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN “Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference.” (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

“Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council’s Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car.”

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d’être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 "Development and the Strategic Highways Network", applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

"31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A

robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;

3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time



secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

“d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities”;

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site”

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective “tick box” exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an

approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

• Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note

that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar of reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, un specific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

"...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

..."

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

..."

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

..."

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“  
...  
12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
...”

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area

acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base is in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“ ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

...”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“ ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

...”

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those

already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

"...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are



required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes “Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes.” (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive “first principles” review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

...”

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

“Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the ‘Five Villages’ area in Arun District; and..”

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“ ...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

Should be amended to read:

"Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment."

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Object

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.3

**Respondent:** Chichester City Council Neighbourhood Plan Steering Group (Councillor Sarah Quail) [8184]

#### Summary:

Paragraph 2.3. states that the cathedral city of Chichester is the main settlement while paragraph 2.38. says that the emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area's main centre. The role of the Chichester Neighbourhood Plan in consolidating and enhancing Chichester as the main centre should be referenced here and throughout this chapter.

#### Full text:

See attachment.

#### Change suggested by respondent:

Reference Chichester Neighbourhood Plan

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Written Representation - <https://chichester.oc2.uk/a/syp>

## Object

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.4

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

The Plan states 'Tangmere, to the east of Chichester city, is a settlement of some 3,158 people. It hosts a number of local businesses and has some dispersed community facilities including shops and a medical centre. However, it currently lacks many of the amenities and services normally associated with a settlement of its size.'

The plan does not address these issues and proposes to double the size of the community without an appropriate infrastructure.

**Full text:**

The Plan states 'Tangmere, to the east of Chichester city, is a settlement of some 3,158 people. It hosts a number of local businesses and has some dispersed community facilities including shops and a medical centre. However, it currently lacks many of the amenities and services normally associated with a settlement of its size.' The plan does not address these issues and proposes to double the size of the community without an appropriate infrastructure.

**Change suggested by respondent:**

There needs to be a recognition that in doubling the size of a community there needs to be a funded scheme to double the infrastructure in terms of providing locational provision for community shops, an additional medical centre, for GP and Dentists, local community policing hub, multi faith places of worship, parking areas for community shops, coffee shops, laundromat for social housing, fast food dining. Traffic management plan which should include traffic lights, pedestrian crossings, provision of continuous pathways, restricted speed of traffic through the narrow Tangmere Road. This road is part of the existing Special Conservation Area and needs to be taken into account and the area protected. The county council is the beneficiary of the CPO and needs to set these costs aside and recognise this need in the plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.4

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

"Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use."

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

We welcome the clear recognition that localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced". We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

## 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and

operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”  
Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the

SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress is delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in



future, even with implementation of a mitigation partake to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services

and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no

realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

### 3.1. Policy S1 Spatial Development Strategy

#### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

### 3.2. Policy S2 Settlement Hierarchy

#### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

## 4. Climate Change and the Natural Environment

### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method...” The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

“5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU’s) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa.”

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to

have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide has "run out of road" no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

“Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: “1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

“Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council’s Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car.”

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.



Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan

to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d'être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic

## Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

### 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been

involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

...”

7.3. Policy T2 Transport and Development  
Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision  
Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

“...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and...”

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council’s wider aspirations for the “Southern Gateway”, and this has governed our approach to the Council to date. We continue to have no “in principle” objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with “dead running” to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from



increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, unsurveyed and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

“ ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

...”

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and

Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...  
10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,  
..."

#### 9.5. Policy A7 Land at Shopwhyke

##### Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

"...

12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;

"..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

"...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

"..."

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an

unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

"...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

"..."

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

"...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that

the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan . They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the and impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station,

needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“... ”

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

## 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

**Change suggested by respondent:**

Vision wording amended to - "Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use."

Specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

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## Support

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.5

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

■ WGPC supports this statement

**Full text:**

■ WGPC supports this statement

**Change suggested by respondent:**

■ -

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

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## Object

**Document Element:** Characteristics of the Plan Area – A Spatial Portrait, 2.5

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

■ The plan must acknowledge and plan for the long-term management and sustainability of the important transportation links identified. This acknowledgement is absent.

**Full text:**

■ The plan must acknowledge and plan for the long-term management and sustainability of the important transportation links identified. This acknowledgement is absent.

**Change suggested by respondent:**

■ The plan must acknowledge and plan for the long-term management and sustainability of the important transportation links identified

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None



## Object

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**Document Element:** Social Characteristics, 2.7

**Respondent:** Keith Furlong [8086]

**Summary:**

You are tied up with age groups, the working population to the age of 64. The age of retirement is already beyond that and by 2039 will be later yet, so if the plan is to be genuinely forward looking you must assume that the work force age is later

**Full text:**

You are tied up with age groups, the working population to the age of 64. The age of retirement is already beyond that and by 2039 will be later yet, so if the plan is to be genuinely forward looking you must assume that the work force age is later

**Change suggested by respondent:**

The population is undoubtedly ageing, but the retirement age is also increasing, take more consideration of compulsory retirement.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

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**Document Element:** Social Characteristics, 2.8

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support statement

**Full text:**

Support statement

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

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**Document Element:** Social Characteristics, 2.8

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement.

**Full text:**

WGPC supports this statement.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Social Characteristics, 2.9

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support statement

**Full text:**

Support statement

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Social Characteristics, 2.9

**Respondent:** Lynn Reel [8121]

**Summary:**

Support SOSCA's objection on grounds that development is unsustainable due to flooding and insufficient infrastructure - wastewater, water quality, public services.

**Full text:**

Supports SOSCA's Submission as attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/sfy>

## Object

**Document Element:** Social Characteristics, 2.9

**Respondent:** Save our South Coast Alliance (Libby Alexander) [7648]

**Summary:**

The 'good quality of life' is being consistently undermined by centrally imposed housing numbers from government that are unsustainable.

Developments are creating flooding that imposes restrictions on insurance and mortgage valuations. They are creating upsurges of sewage in new built homes as Southern Water is unable to cope.

There is a wide spread horror at the amount of poisoning going on in our seas which deters swimmers, kayakers, and sailors.

There is a constant fear that access to doctors will be delayed due to oversubscribed surgeries.

Likewise access to schools as they too are oversubscribed. This has led to a rise in the instances of home schooling.

And frustration with public transport and the irregularity of the rail service.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Local Plan - Submission to CDC - <https://chichester.oc2.uk/a/sph>

## Support

**Document Element:** Social Characteristics, 2.12

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support

It should be noted that the 2011 Census for Wisborough Green found that 7.15% (only 43 out of 601 households) did not have a car or van which demonstrates reliance upon private vehicles.

**Full text:**

Support

It should be noted that the 2011 Census for Wisborough Green found that 7.15% (only 43 out of 601 households) did not have a car or van which demonstrates reliance upon private vehicles.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Social Characteristics, 2.12

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment.] We note that households who did not have access to a car or van; are lower than county, regional and national averages (para 2.12)

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).

- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as

Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.

- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.

• If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the ‘Strategic road network and the delivery of sustainable development’ (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings
- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Economic Characteristics, 2.13

**Respondent:** Dr Carolyn Cobbold [6612]

**Summary:**

This is all true [2.21] - so why isn't the visitor economy included in 2.13 as one of the areas major employers?

**Full text:**

This is all true - so why isn't the visitor economy included in 2.13 as one of the areas major employers?

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Economic Characteristics, 2.13

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Support in principle.

**Full text:**

The hospitality and visitor economy, is one of the main economic drivers in the District and should be reflected in this statement. The sector and its multiplier effects, add significantly to the local economy, to a level greater than most of the employment sectors listed.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

L.CDC LP Rep 1 Jan 2023 REDACTED - <https://chichester.oc2.uk/a/sfq>

## Object

**Document Element:** Economic Characteristics, 2.13

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

The Council's acknowledgement of the importance of the horticultural sector to Chichester District Council's administrative area is welcomed.

The horticultural industry is capable of supporting higher value jobs in areas such as research and development as well as associated business functions. This is however constrained by the current and proposed wording of the Council's horticultural policies E3 and E4 which inhibits the economic potential and competitiveness of the industry.

**Full text:**

The Council's acknowledgement of the importance of the horticultural sector to Chichester District Council's administrative area is welcomed.

The horticultural industry is capable of supporting higher value jobs in areas such as research and development as well as associated business functions. This is however constrained by the current and proposed wording of the Council's horticultural policies E3 and E4 which inhibits the economic potential and competitiveness of the industry.

**Change suggested by respondent:**

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/scs>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sdq>



## Object

**Document Element:** Economic Characteristics, 2.13

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1billion pounds and employs more than 10,000 full time equivalent staff.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t97>

## Object

**Document Element:** Economic Characteristics, 2.13

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The hospitality and visitor economy, is one of the main economic drivers in the District and should be reflected in this statement. The sector and its multiplier effects, add significantly to the local economy, to a level greater than most of the employment sectors listed.

**Full text:**

The hospitality and visitor economy, is one of the main economic drivers in the District and should be reflected in this statement. The sector and its multiplier effects, add significantly to the local economy, to a level greater than most of the employment sectors listed.

**Change suggested by respondent:**

The hospitality and visitor economy should be reflected in this statement.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

L.CDC LP Rep 1 Jan 2023 REDACTED - <https://chichester.oc2.uk/a/sfq>

## Object

---

**Document Element:** Economic Characteristics, 2.14

**Respondent:** Lynn Reel [8121]

**Summary:**

Support SOSCA's objection - no mention of provision of affordable housing; lack of infrastructure; lack of housing in city centre; communal work space, public services, retention of university students.

**Full text:**

Supports SOSCA's Submission as attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/sfy>

## Object

---

**Document Element:** Economic Characteristics, 2.14

**Respondent:** Save our South Coast Alliance (Libby Alexander) [7648]

**Summary:**

There is no mention of provision of affordable housing.

There is no recognition of over subscribed schools, surgeries whose lists are full, lack of housing within the centre, or lack of communal work space or child care nurseries.

There is no mention of how to retain successful candidates from our excellent university and college. There should be systems in place that encourage them to stay and use their skills to promote the city and its environs.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Local Plan - Submission to CDC - <https://chichester.oc2.uk/a/sph>

## Object

---

**Document Element:** Economic Characteristics, 2.17

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

Whilst the plan acknowledges institutions that offer further education for 16 -18 year olds it is silent on 7-16 year olds ie. primary and secondary school needs for a possible 15,000 pupils. There are over 10,000 homes in the plan and no calculations for required student places.

**Full text:**

Whilst the plan acknowledges institutions that offer further education for 16 -18 year olds it is silent on 7-16 year olds ie. primary and secondary school needs for a possible 15,000 pupils. There are over 10,000 homes in the plan and no calculations for required student places.

**Change suggested by respondent:**

A plan to accommodate the expected increase in places for 7 to 16 year olds.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Economic Characteristics, 2.18

**Respondent:** Dr Carolyn Cobbold [6612]

**Summary:**

There has been significant work done by the Manhood Peninsula Partnership to improve the tourism offering on the Manhood Peninsula - particularly in increasing stay tourism. This work, in conjunction with the University of Chichester, has identified the peninsula as a growing nature/outdoor activity destination based on its beaches, coastal countryside, wetlands environment with its USP being that it is the last remaining rural coastal hinterland on the south coast. Tourism is a key factor in helping landowners/businesses diversify in this area. See [https://peninsulapartnership.org.uk/abd/wp-content/uploads/2018/02/Manhood\\_Peninsula\\_Destination\\_Management\\_Plan\\_HI\\_RES.pdf](https://peninsulapartnership.org.uk/abd/wp-content/uploads/2018/02/Manhood_Peninsula_Destination_Management_Plan_HI_RES.pdf)

**Full text:**

There has been significant work done by the Manhood Peninsula Partnership to improve the tourism offering on the Manhood Peninsula - particularly in increasing stay tourism. This work, in conjunction with the University of Chichester, has identified the peninsula as a growing nature/outdoor activity destination based on its beaches, coastal countryside, wetlands environment with its USP being that it is the last remaining rural coastal hinterland on the south coast. Tourism is a key factor in helping landowners/businesses diversify in this area. See [https://peninsulapartnership.org.uk/abd/wp-content/uploads/2018/02/Manhood\\_Peninsula\\_Destination\\_Management\\_Plan\\_HI\\_RES.pdf](https://peninsulapartnership.org.uk/abd/wp-content/uploads/2018/02/Manhood_Peninsula_Destination_Management_Plan_HI_RES.pdf)

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Economic Characteristics, 2.18

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

The Council states that the need to support economic activity in rural parts of the plan area. Under the Council's policy maps, the Runcton HDA would be located within the Countryside.

**Full text:**

The Council states that the need to support economic activity in rural parts of the plan area. Under the Council's policy maps, the Runcton HDA would be located within the Countryside.

**Change suggested by respondent:**

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sc3>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/swr>

## Support

**Document Element:** Economic Characteristics, 2.18

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment.] We note that the majority of existing employment and business space are focused around Chichester city and the A27 corridor (para 2.18).

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

## Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the

construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project

and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Economic Characteristics, 2.18

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

### Summary:

The particular importance of the economic and employment contribution of Goodwood Estate and Rolls-Royce should be acknowledged.

The Goodwood Estate generates an estimated economic contribution of £435m into the national economy and £125m in tax contributions, of which £314m and £100m respectively benefit the local economy (2019 Study by London School of Economics).

It is understood Rolls-Royce is to publish details of its economic contribution imminently, which should be addressed through the Plan

### Full text:

The particular importance of the economic and employment contribution of Goodwood Estate and Rolls-Royce should be acknowledged.

The Goodwood Estate generates an estimated economic contribution of £435m into the national economy and £125m in tax contributions, of which £314m and £100m respectively benefit the local economy (2019 Study by London School of Economics).

It is understood Rolls-Royce is to publish details of its economic contribution imminently, which should be addressed through the Plan

### Change suggested by respondent:

The particular importance of the economic and employment contribution of Goodwood Estate and Rolls-Royce should be acknowledged.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Economic Characteristics, 2.18

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

### Summary:

Support in principle.

### Full text:

The particular importance of the economic and employment contribution of Goodwood Estate and Rolls-Royce should be acknowledged.

The Goodwood Estate generates an estimated economic contribution of £435m into the national economy and £125m in tax contributions, of which £314m and £100m respectively benefit the local economy (2019 Study by London School of Economics).

It is understood Rolls-Royce is to publish details of its economic contribution imminently, which should be addressed through the Plan

### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



**Document Element:** Economic Characteristics, 2.20

**Respondent:** Dr Carolyn Cobbold [6612]

**Summary:**

Most of the large horticulture sites are located within easy reach of the A27 due to the size of lorries needed in modern horticulture. The Manhood Peninsula has a history of small-holding growers with its roads being unsuitable for large lorries. However, there is potential for more organic growers and trainee growers/farmers to operate on the Manhood peninsula and to create a stronger link to the area's tourism and foodie culture. There is already a Heritage Trail around the historic smallholdings of Sidlesham and Almodington.

**Full text:**

Most of the large horticulture sites are located within easy reach of the A27 due to the size of lorries needed in modern horticulture. The Manhood Peninsula has a history of small-holding growers with its roads being unsuitable for large lorries. However, there is potential for more organic growers and trainee growers/farmers to operate on the Manhood peninsula and to create a stronger link to the area's tourism and foodie culture. There is already a Heritage Trail around the historic smallholdings of Sidlesham and Almodington.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Economic Characteristics, 2.20

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

The Council's recognition of the economic significance of the horticultural industry in the Chichester District and beyond is welcomed.

The attached Savills SREBR Report and the HEDNA 2018 both flag that the existing and proposed draft policy E4 do, and will continue to, constrain the future capability of the horticulture industry to grow and contribute to the local and UK economy, food resilience and carbon reduction ambitions

Consolidation of horticultural and functionally linked development within the HDAs will facilitate growth and competitiveness, and reduce food miles.

**Full text:**

The Council's recognition of the economic significance of the horticultural industry in the Chichester District and beyond is welcomed.

The attached Savills SREBR Report and the HEDNA 2018 both flag that the existing and proposed draft policy E4 do, and will continue to, constrain the future capability of the horticulture industry to grow and contribute to the local and UK economy, food resilience and carbon reduction ambitions

Consolidation of horticultural and functionally linked development within the HDAs will facilitate growth and competitiveness, and reduce food miles.

**Change suggested by respondent:**

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sc4>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/swt>

## Support

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**Document Element:** Economic Characteristics, 2.21

**Respondent:** Dr Carolyn Cobbold [6612]

**Summary:**

■ This is all true - so why isn't the visitor economy included in 2.13 as one of the areas major employers?

**Full text:**

■ This is all true - so why isn't the visitor economy included in 2.13 as one of the areas major employers?

**Change suggested by respondent:**

■ -

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Economic Characteristics, 2.21

**Respondent:** Mrs Victoria Douglas [7725]

**Summary:**

■ Coastal economy not adequately represented, including importance of marine leisure and recreation in both the local and visitor economies

**Full text:**

■ Coastal economy not adequately represented, including importance of marine leisure and recreation in both the local and visitor economies

**Change suggested by respondent:**

■ Please update this section to highlight importance of marine leisure economy to the Local Plan

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Document Element:** Economic Characteristics, 2.21

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

Chichester Harbour provides a significant economic benefit to the district's economy. Although dated now (2009, UE Associates) the Valuing Chichester Harbour study found that there were 455 businesses in the Harbour, and that the contribution to the local economy was £2.78 billion.

This cumulative figure is made up of individual valuation information from maritime businesses (£524M), residential property (£2,151M), tourism (£44M), land values (£52M) and recreation (£1.2M). This document is available on Chichester District Council's website: [https://www.chichester.gov.uk/media/7890/Valuing-Chichester-Harbour-2009---Part-1/pdf/Valuing\\_chichester\\_harbour\\_part\\_1.pdf](https://www.chichester.gov.uk/media/7890/Valuing-Chichester-Harbour-2009---Part-1/pdf/Valuing_chichester_harbour_part_1.pdf)

**Full text:**

Chichester Harbour provides a significant economic benefit to the district's economy. Although dated now (2009, UE Associates) the Valuing Chichester Harbour study found that there were 455 businesses in the Harbour, and that the contribution to the local economy was £2.78 billion.

This cumulative figure is made up of individual valuation information from maritime businesses (£524M), residential property (£2,151M), tourism (£44M), land values (£52M) and recreation (£1.2M). This document is available on Chichester District Council's website: [https://www.chichester.gov.uk/media/7890/Valuing-Chichester-Harbour-2009---Part-1/pdf/Valuing\\_chichester\\_harbour\\_part\\_1.pdf](https://www.chichester.gov.uk/media/7890/Valuing-Chichester-Harbour-2009---Part-1/pdf/Valuing_chichester_harbour_part_1.pdf)

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqw>

**Document Element:** Economic Characteristics, 2.21

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

A separate paragraph to 2.13 explaining the role of the visitor economy is justified because of its importance. The importance of the Festival Theatre is acknowledged but its contribution to the local economy is a poor shadow of the contribution made annually by the Goodwood Estate, its environment, heritage and events (up to ten times that of the theatre) see submitted LSE report

**Full text:**

A separate paragraph to 2.13 explaining the role of the visitor economy is justified because of its importance. The importance of the Festival Theatre is acknowledged but its contribution to the local economy is a poor shadow of the contribution made annually by the Goodwood Estate, its environment, heritage and events (up to ten times that of the theatre) see submitted LSE report

**Change suggested by respondent:**

The paragraph should be amended to include references to equally important contributors to the local economy such as Goodwood Estate and Rolls-Royce alongside the Festival Theatre

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

L.CDC LP Rep 1 Jan 2023 REDACTED - <https://chichester.oc2.uk/a/sgr>

## Object

---

**Document Element:** Environmental Characteristics, 2.22

**Respondent:** Mr David Akerman [5091]

**Summary:**

The Medmerry managed retreat should be included in 2.22 since it is at least as important as Pagham Harbour and the others mentioned.

**Full text:**

The Medmerry managed retreat should be included in 2.22 since it is at least as important as Pagham Harbour and the others mentioned.

**Change suggested by respondent:**

Include Medmerry managed retreat in 2.22

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Environmental Characteristics, 2.23

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

"The coastal and harbour areas are important for biodiversity, recreation and tourism." This is a simplification. Are marine businesses not important to Chichester Harbour? Is the cultural heritage and gentle way of life not important? Is the landscape of the AONB not nationally important?

**Full text:**

"The coastal and harbour areas are important for biodiversity, recreation and tourism." This is a simplification. Are marine businesses not important to Chichester Harbour? Is the cultural heritage and gentle way of life not important? Is the landscape of the AONB not nationally important?

**Change suggested by respondent:**

"All the coastal and harbour areas are important for biodiversity, recreation, tourism, and marine businesses, with Chichester Harbour also recognised as a nationally important landscape. The cultural heritage and gentle way of life on the coast is an intrinsic value that needs to be protected."

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

---

**Document Element:** Environmental Characteristics, 2.23

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

Poor reference to the Plan's evidence-base.

2.23 as currently drafted does not refer to the 'high quality' landscapes in the North of the Plan Area, in line with the evidence-base and fails to acknowledge its role in forming the setting to the South Downs National Park.

**Full text:**

Poor reference to the Plan's evidence-base.

2.23 as currently drafted does not refer to the 'high quality' landscapes in the North of the Plan Area, in line with the evidence-base and fails to acknowledge its role in forming the setting to the South Downs National Park.

**Change suggested by respondent:**

Suggested re-wording of the first part of 2.23: -

"In the North of the plan area, the "Low Weald" IS A HIGH QUALITY, VALUED landscape characterised by a mix of pasture and medium to small-scale arable fields AND PADDOCKS. IT FORMS A CHARACTERISTIC SETTING TO THE SOUTH DOWNS NATIONAL PARK. Further south, the...."

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

---

**Document Element:** Environmental Characteristics, 2.27

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support Statement

**Full text:**

Support Statement

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Environmental Characteristics, 2.27

**Respondent:** Lynn Reel [8121]

**Summary:**

Support SOSCA's objection - roads into Chichester under huge stress from outlying developments; poor condition of city centre.

**Full text:**

Supports SOSCA's Submission as attached.

**Change suggested by respondent:**

Support SOSCA's recommendation - The city centre should be brought to life with a greater encouragement of housing above shops and within large buildings that could be converted into dwellings. There should be a greater push to encourage the young to live in the city by providing space for business hubs and nursery/childcare facilities, and entertainment.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/sfy>

## Object

---

**Document Element:** Environmental Characteristics, 2.27

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

The Plan is currently unclear in its use of the term 'Landscape' for Conservation Areas and Designed Landscapes (parks and gardens). This is not the correct use of the word 'landscape'. A change to 'designated historic landscapes' would be better. The term landscape is defined by the European Landscape Convention and this definition should be applied in Local Plan making. Landscape is everything, it includes settlements as well as perceived natural environments. As currently drafted, this paragraph does not comply with the European Landscape Convention.

**Full text:**

The Plan is currently unclear in its use of the term 'Landscape' for Conservation Areas and Designed Landscapes (parks and gardens). This is not the correct use of the word 'landscape'. A change to 'designated historic landscapes' would be better. The term landscape is defined by the European Landscape Convention and this definition should be applied in Local Plan making. Landscape is everything, it includes settlements as well as perceived natural environments. As currently drafted, this paragraph does not comply with the European Landscape Convention.

**Change suggested by respondent:**

Incorrect use of the word 'landscapes'. Change to 'designated historic landscapes'.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

---

**Document Element:** Environmental Characteristics, 2.27

**Respondent:** Save our South Coast Alliance (Libby Alexander) [7648]

**Summary:**

The roads into the city of Chichester are narrow and reflect the historical build of its centre. These are under huge stress from the outlying developments most especially from the large Whitehouse Farm development along the A2178. And for all the communities trying to cross the A27 from the south.

Our rich heritage is being constantly undermined by empty shops, lack of trees, broken paving, and little night life across its centre.

The city centre should be brought to life with a greater encouragement of housing above shops and within large buildings that could be converted into dwellings.

There should be a greater push to encourage the young to live in the city by providing space for business hubs and nursery/childcare facilities, and entertainment.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Local Plan - Submission to CDC - <https://chichester.oc2.uk/a/sph>

## Object

---

**Document Element:** Environmental Characteristics, 2.28

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

Legally compliant/duty to co-operate - don't know.

Sound: the Plan fails to connect trees with the Historic Environment; historic trees are also finite resources (NPPF irreplaceable habitat) for which management and protection is needed to ensure their importance is retained.

**Full text:**

Legally compliant/duty to co-operate - don't know.

Sound: the Plan fails to connect trees with the Historic Environment; historic trees are also finite resources (NPPF irreplaceable habitat) for which management and protection is needed to ensure their importance is retained.

**Change suggested by respondent:**

Reword "historic buildings and sites" to "historic buildings, trees and sites".

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Document Element:** Issues and Opportunities facing the Plan Area, 2.29

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement

**Full text:**

WGPC supports this statement

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Issues and Opportunities facing the Plan Area, 2.29

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Support.] The A27 is a key corridor although the area is severely congested. The bypass continues to suffer from high accident rates, daily congestion, and extensive queuing at most of the junctions along this 5km stretch of road. With traffic due to increase by 24% by 2035 this situation will consistently worsen if there is no intervention.

We therefore support (para 2.29) the need:

- to reduce the need to travel, particularly by private car, supported by direct walking and cycling routes - for the Local Plan to provide local infrastructure to support new development and seek opportunities to address existing infrastructure problems, such as those relating to the A27

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the



potential impact of development on transport networks can be addressed (para 104).

- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National

Highways will have any responsibility to identify or deliver necessary transport interventions.

- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications

and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as

the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Support

**Document Element:** Issues and Opportunities facing the Plan Area, 2.29

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

WGPC lack confidence that neither CDC nor other strategic policy makers and providers are aware of the problems that already exist in the NE parishes. Failure to address these will have serious implications for existing residents.

**Full text:**

Support – with qualification

WGPC lack confidence that neither CDC nor other strategic policy makers and providers are aware of the problems that already exist in the NE parishes. Failure to address these will have serious implications for existing residents.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Issues and Opportunities facing the Plan Area, 2.29

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

WGPC lack confidence that neither CDC nor other strategic policy makers and providers are aware of the problems that already exist in the NE parishes. Failure to address these will have serious implications for existing residents.

**Full text:**

Support – with qualification

WGPC lack confidence that neither CDC nor other strategic policy makers and providers are aware of the problems that already exist in the NE parishes. Failure to address these will have serious implications for existing residents.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Issues and Opportunities facing the Plan Area, 2.29

**Respondent:** John Newman [8169]

**Summary:**

I agree with your identification of issues and opportunities and am especially pleased to see environmental issues having such prominence - I hope that this will really mean some effective action. I also think that, when I compare the housing opportunities for my (senior citizen) generation, things are so much harder for young people now, and it is very important both per se and also to attract and retain young people in the area, that this must seriously be tackled, not least a viable rental market and a proper supply of affordable housing.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Issues and Opportunities facing the Plan Area, 2.29

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The objectives listed are supported but economic vitality should also be included.

**Full text:**

The objectives listed are supported but economic vitality should also be included.

**Change suggested by respondent:**

Economic vitality should also be included.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Letter to Council Goodwood - <https://chichester.oc2.uk/a/t8g>

**Document Element:** Issues and Opportunities facing the Plan Area, 2.29

**Respondent:** Gladman Developments Ltd (Mr Rob Wilding, Senior Planner) [7816]

**Summary:**

In principle, Gladman support the Local Plan's vision which sets out how the area will grow and evolve over the plan period. Gladman support the acknowledgement that Chichester will lead sustainable development in the area and the emphasis placed on Chichester as a regional city and major economic driver for the district.

Gladman support the continued stance the Council is taking against mitigating against climate change taking account of factors such as sea level rise, higher summer temperatures and the need to reduce greenhouse emissions.

**Full text:**

In principle, Gladman support the Local Plan's vision which sets out how the area will grow and evolve over the plan period. Gladman support the acknowledgement that Chichester will lead sustainable development in the area and the emphasis placed on Chichester as a regional city and major economic driver for the district.

Gladman support the continued stance the Council is taking against mitigating against climate change taking account of factors such as sea level rise, higher summer temperatures and the need to reduce greenhouse emissions.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Issues and Opportunities facing the Plan Area, 2.29

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

The Local Plan is not positively prepared. The proposed expansion of HDAs is welcome. However the council's current approach to restrictions on co-location of functionally linked businesses and activities within the food park/cluster is impacting on business competitiveness and efficiency.

**Full text:**

The attached Savills SREBR Report and the HEDNA 2018 both flag that the existing and proposed draft policy E4 do, and will continue to, constrain the future capability of the horticulture industry to grow and contribute to the local and UK economy, food resilience and carbon reduction ambitions

The importance of associated uses to the cluster is also acknowledged within The Council's evidence base and other key Government and Industry publications.

Consolidation of horticultural and functionally linked development within the HDAs will facilitate growth and competitiveness, and reduce food miles.

Accordingly, it is suggested that the Council should pursue a more positive and proactive wording of the HDA policy in order to allow for a greater breadth of associated uses within the Runcton HDA. The proposed wording of the policy does not provide sufficient certainty to investors and businesses (both established within Runcton HDA or looking to locate within it) that The Council will support the functionally associated uses that are necessary to foster and maintain the growth and competitiveness of a world-class food cluster.

The Local Plan therefore conflicts with paragraph 81 of the NPPF in its entirety which states:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation 42 , and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

**Change suggested by respondent:**

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sc6>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sw3>

## Support

**Document Element:** Responding to the Climate Emergency, 2.30

**Respondent:** Mr Joseph O'Sullivan [35]

**Summary:**

A climate emergency is real.

**Full text:**

A climate emergency is real

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Responding to the Climate Emergency, 2.30

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

### Summary:

The Local Plan does not fully take opportunities to align with the government's net zero commitments, as it fails to take opportunities to reduce greenhouse gas emissions through a positive approach to locating functional development within HDAs

### Full text:

The Council's declaration of a climate emergency is welcomed, however there is an opportunity to better align this the Council's economic strategy within the Local Plan.

Supporting the growth of the horticultural industry to include functionally linked uses, such as food processing/production and consolidated storage and distribution capabilities within the HDA, would allow for greater food production on site. This in turn would allow for greater home grown food production and export to the rest of the UK. Accordingly, there would be a reduction in food miles as home-grown food consumption would increase. This would lead to a reduction in greenhouse gas emissions.

Refer to Savills SREBR para 4.4.2 – effective storage and distribution hub at Runcton HDA would achieve reduction in food miles by 84000 per annum

### Change suggested by respondent:

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

### Attachments:

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sc8>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sw6>

## Object

**Document Element:** Responding to the Climate Emergency, 2.30

**Respondent:** Landlink Estates Ltd [1764]

**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]

### Summary:

The Council position does not comply with Section 19(1A) of the PCPA 2004, which requires Local Plan policies to be designed to secure that the development and use of land in the LPA's area contribute to the mitigation of, and adaptation to, climate change.

The plan has failed to demonstrate a vision of how to achieve net zero by 2050, or decarbonise power systems by 2035 in line with the Climate Change Act 2008 and ongoing ambitions towards Net Zero.

The 2008 Climate Change Act sets a legally binding target to reduce net greenhouse gas emissions from their 1990 level by 100% by 2050. The plan does not demonstrate how this is achieved and is not legally compliant.

### Full text:

See attachments.



**Change suggested by respondent:**

Withdraw plan and rework to ensure priority given to climate change, especially in relation to land use implications and climate mitigations. Propose an additional strategic overarching policy to deliver Net Zero and secure sustainable development to make the Plan sound. Suggested wording as follows:

**Additional Strategic Policy 01 - Delivering Net Zero.**

The Council will support growth and change that delivers a more sustainable, low carbon future for Chichester District, reflecting the Government's legal Net Zero targets and the Council's declared climate emergency (July 2019). The ambition is to reduce levels of carbon emissions by X%\* at the end of the plan period.

Climate change mitigation is required in all relevant policy areas, including sustainable travel, net zero buildings, energy and water efficiency, renewable energy production and energy storage, and also supporting the circular economy and green infrastructure through the protection of carbon sinks and opportunities for carbon sequestration.

Development and change will be planned for and managed in accordance with the following principles of sustainable development:

1. All development will contribute to achieving net zero by 2050 as follows (demonstrated through an energy calculation):

- No on-site fossil fuel combustion;
- Energy use is minimised, demonstrated through space heating demand of less than 15kWh/m<sup>2</sup> /year and operational energy use of less than 35kWh/m<sup>2</sup> /year for dwellings; or demonstrated by using BREEAM Excellent level accreditation, with outstanding level for energy use (Credit Ene01) or equivalent for non-residential development;
- On-site renewable generation is maximised, equivalent to at least the on-site energy demand.
- Where the above criteria cannot be met, due to exceptional circumstances set out in support of the development, the proposal must deliver equivalent carbon reductions through off-site measures;

2. The effective use of land is made for development through optimising reuse of previously developed sites and buildings, therefore reducing the need for greenfield development and retaining embedded carbon where viable;

3. Supporting embedded and free-standing renewable energy development and de-carbonisation of the District as set out in policy NE1 and as defined in the site allocations DPD which will identify the necessary range of suitable sites for renewable energy to meet the legal climate obligations.

\*The percentage reduction in carbon emissions to 2039 (end of the plan period) needs to be calculated by CDC from the 1990 baseline. CDC's current Climate Change Action Plan targets stop at 2025.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sjr>

1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>

3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>

Email Trail - <https://chichester.oc2.uk/a/sj3>

2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>

4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>

5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>

6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>

6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>

8. Archeological DBA - <https://chichester.oc2.uk/a/sj9>

12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>

13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>

13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>

13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>

14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>

7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>

11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>

9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>

10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>

Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>

Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>

## Object

**Document Element:** Responding to the Climate Emergency, 2.31

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

The Climate Emergency Action Plan is still developing. This should have come first to inform the Local Plan.

**Full text:**

The Climate Emergency Action Plan is still developing. This should have come first to inform the Local Plan.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Responding to the Climate Emergency, 2.31

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

The Local Plan is inadequate for the needs of the people in the district both at present and in the future because it has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in

quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Responding to the Climate Emergency, 2.31

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Development in the northern parishes, promoting car use, does not support this ambition.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Development in the northern parishes, promoting car use, does not support this ambition.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Responding to the Climate Emergency, 2.31

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Development in the northern parishes, promoting car use, does not support this ambition.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Development in the northern parishes, promoting car use, does not support this ambition.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Responding to the Climate Emergency, 2.32

**Respondent:** Hunston Parish Council (Carol Smith, Parish Clerk) [1096]

**Summary:**

Hunston Parish Council notes that the reality of climate change and the impact on the area are not adequately addressed.

**Full text:**

Hunston Parish Council is concerned as to whether the traffic management proposals are workable.

Hunston Parish Council notes that the reality of climate change and the impact on the area are not adequately addressed.

Hunston Parish Council is concerned that the housing standards for any new build do not meet PassivHaus standards or equivalent. There is no mention of solar panels for example.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Responding to the Climate Emergency, 2.35

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

Chichester DC has declared a climate emergency. However, the Sustainability Assessment (clause 9.6.8) states '...This largely reflects the [CDC] decision not to set requirements on new development, in respect of built environment decarbonisation, that go beyond the requirement of Building Regulations (albeit it is recognised that there are quite clear arguments in support of this approach, particularly in the Chichester context, given competing funding priorities).' The CDC approach that relies solely on proposed revisions to the Building Regulations does not support the intent of the Climate Emergency declaration, and the leadership role from CDC that this declaration requires.

**Full text:**

Chichester DC has declared a climate emergency. However, the Sustainability Assessment (clause 9.6.8) states '...This largely reflects the [CDC] decision not to set requirements on new development, in respect of built environment decarbonisation, that go beyond the requirement of Building Regulations (albeit it is recognised that there are quite clear arguments in support of this approach, particularly in the Chichester context, given competing funding priorities).' The CDC approach that relies solely on proposed revisions to the Building Regulations does not support the intent of the Climate Emergency declaration, and the leadership role from CDC that this declaration requires.

**Change suggested by respondent:**

CDC should impose sustainability requirements that are over and above those in the Building Requirements in the design and construction of new buildings. This includes enhanced insulation, water saving measures and the use of solar panels on all buildings. The latter would take advantage of CDC is in an area with some of the highest hours of sunshine in England.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Local Plan Vision, 2.36

**Respondent:** John Newman [8169]

**Summary:**

I am very pleased to see this paragraph included

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Local Plan Vision, 2.37

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The vision is supported.

**Full text:**

The vision is supported.

The plan should explain how these aspirations interlock with National Policies and objectives, and require developers and developments to demonstrate compliance through the presentation of evidence.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Local Plan Vision, 2.37

**Respondent:** John Newman [8169]

**Summary:**

I agree with the vision that you set out in para 2.37.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Local Plan Vision, 2.37

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Support.] We support the vision (para 2.37) that by 2039, the Chichester plan area will be a place where people can: - get about easily, safely, and conveniently with less reliance on private cars –making use of the rail and bus network, and with more opportunities for active travel including walking and cycling.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and



congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also

identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

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**Document Element:** Local Plan Vision, 2.37

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The vision is supported.

The plan should explain how these aspirations interlock with National Policies and objectives, and require developers and developments to demonstrate compliance through the presentation of evidence.

**Full text:**

The vision is supported.

The plan should explain how these aspirations interlock with National Policies and objectives, and require developers and developments to demonstrate compliance through the presentation of evidence.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Local Plan Vision, 2.37

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Add new paragraph.

**Full text:**

See attachments.

**Change suggested by respondent:**

Add new paragraph relevant to all locations – “Policies will seek to prioritise the redevelopment of brownfield or previously developed land in sustainable locations” in accordance with Paragraph 119 of the NPPF.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/snj>

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

## Support

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**Document Element:** Local Plan Vision, 2.37

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

GTR shares the vision set out under 2.37

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Support

**Document Element:** The Vision is that by 2039,

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

This is all very fine but the volume and location of housing will make these aims impossible to achieve.

**Full text:**

This is all very fine but the volume and location of housing will make these aims impossible to achieve.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** The Vision is that by 2039,

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

Support in principle

**Full text:**

The Vision does not refer to conserving the different characteristics identified across the District established in paragraphs 2.2. and 2.3. It is recommended that these identified characteristics needs to form part of the Local Plan Vision to ensure the Plan is coherent and not fighting against itself.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** The Vision is that by 2039,

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

This is a very laudable vision but with the volume of housing going into a small space ( 30% of developable land) it cannot be achieved. Chichester Harbour is in decline and building so many houses along the east / west corridor will make this far worse. There are no solutions to the A27, in terms of network improvements ( apart from two) and certainly not with alternative forms of transport. This will result in missing climate change goals.

**Full text:**

This is a very laudable vision but with the volume of housing going into a small space ( 30% of developable land) it cannot be achieved. Chichester Harbour is in decline and building so many houses along the east / west corridor will make this far worse. There are no solutions to the A27, in terms of network improvements ( apart from two) and certainly not with alternative forms of transport. This will result in missing climate change goals.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** The Vision is that by 2039,

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The LP is supported. The district has been subject to inappropriate speculative developments without corresponding infrastructure and service improvements. Developments have been self-centred, failing to acknowledge consequences on the long-term attractiveness, viability and sustainability of the District. Each development has impacted the ability to provide enhancements and much-needed infrastructure.

To be sound the plan must meet NPPF tests and we find the plan sound in terms of it being reasonable and capable of being delivered. However it lacks soundness in terms of its vision and protection and enhancement of economic, heritage and environmental assets.

**Full text:**

The LP is supported. The district has been subject to inappropriate speculative developments without corresponding infrastructure and service improvements. Developments have been self-centred, failing to acknowledge consequences on the long-term attractiveness, viability and sustainability of the District. Each development has impacted the ability to provide enhancements and much-needed infrastructure.

To be sound the plan must meet NPPF tests and we find the plan sound in terms of it being reasonable and capable of being delivered. However it lacks soundness in terms of its vision and protection and enhancement of economic, heritage and environmental assets.

**Change suggested by respondent:**

We believe the changes we suggest will allow the plan to explain more clearly a joined-up approach between its strategic vision, development allocations, infrastructure provision and environmental enhancement, that will serve as robust evidence for (a) the safeguarding and enhancement of its important economic and environmental assets, (b) the promotion and support of its development proposals, and (c) improved defence against inappropriate and harmful speculative development.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Rep 4109 Goodwood redacted - <https://chichester.oc2.uk/a/t8f>

## Object

**Document Element:** The Vision is that by 2039,

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

The Vision does not refer to conserving the different characteristics identified across the District established in paragraphs 2.2. and 2.3. It is recommended that these identified characteristics needs to form part of the Local Plan Vision to ensure the Plan is coherent and not fighting against itself.

**Full text:**

The Vision does not refer to conserving the different characteristics identified across the District established in paragraphs 2.2. and 2.3. It is recommended that these identified characteristics needs to form part of the Local Plan Vision to ensure the Plan is coherent and not fighting against itself.

**Change suggested by respondent:**

Include the characteristics identified in paras 2.2 and 2.3 in the Vision

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** The Vision is that by 2039,

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but with regard to bullet point 5 questions how it could be applied to Wisborough Green. Residents in Wisborough Green have negligible access to public transport and car use is essential. Any development in WG is reliant private cars.

**Full text:**

WGPC supports this approach but with regard to bullet point 5 questions how it could be applied to Wisborough Green. Residents in Wisborough Green have negligible access to public transport and car use is essential. Any development in WG is reliant private cars.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** The Vision is that by 2039,

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but with regard to bullet point 5 questions how it could be applied to Wisborough Green. Residents in Wisborough Green have negligible access to public transport and car use is essential. Any development in WG is reliant private cars.

**Full text:**

WGPC supports this approach but with regard to bullet point 5 questions how it could be applied to Wisborough Green. Residents in Wisborough Green have negligible access to public transport and car use is essential. Any development in WG is reliant private cars.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** The Vision is that by 2039,

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

We consider there is an opportunity for the strategic allocations across the District to plan for working aged people to be a major constituent part of the communities created, whilst also planning for a mixed uses and meaningful alternatives to the private car so as to reduce reliance on the private car and create sustainable communities.

**Full text:**

INTRODUCTION

These representations have been prepared by Barton Willmore on behalf of Wates Developments Ltd and Seaward Properties (hereby referred to as 'the Consortium'), who are jointly promoting Land East of Southbourne, the settlement being proposed for a mixed-use allocation under draft policies H2 and A13. It is submitted to the Chichester Local Plan Regulation 19 consultation.

The Consortium agrees with the broad direction of the draft plan in allocating housing in Southbourne and present the land east of Southbourne as a sustainable, deliverable and appropriate mechanism to deliver a development that meets the aspirations of the community.

The Consortium has been working together to promote the land east of Southbourne and have previously committed to

working with the Neighbourhood Plan Group and wider community to develop an agreed masterplan and phasing approach to comprehensively deliver housing, community facilities, employment and green infrastructure as guided by the emerging local plan.

The following sections of the report provide comment to support the proposed allocation and its effective delivery in the future. Alongside these representations, the submission also includes the following:

Highways Technical Note prepared by i-Transport.  
Latest Masterplan

The Consortium is in agreement with the overarching principles of the emerging Local Plan, including the drive for a sustainable development that is environmentally responsible, meeting biodiversity net gain and nitrate neutrality, as well as sensitively masterplanned to develop the community as a whole and integrate the facilities such that they are accessible to the existing residents, as well as the new.

A robust and extensive evidence base has been prepared to inform the illustrative masterplan and prior submissions to the Southbourne Neighbourhood Plan preparation. This evidence base continues to evolve and be updated, and we feel this information will be invaluable in forming the final agreed masterplan in terms of its deliverability and comprehensiveness.

Existing policy position

The Chichester Local Plan was adopted in 2014, and the Inspector was clear that it would require a review within 5 years to ensure that the housing needs of the district would be met in the long term. As required, Chichester District commenced a Plan Review. These representations support the broad direction of the plan and offer comments to the "Proposed Submission" (Regulation 19) stage of the preparation process.

By way of background, Policy 2 of the adopted Local Plan identified Southbourne as a settlement capable of strategic allocation and housing delivery, acting as a Settlement Hub that provides services for the surrounding communities. It is therefore identified as a location and focus for growth. This approach is carried forward in draft Policy S1, S2 and H2 of the emerging Local Plan.

As noted above, the overarching principles of spatial strategy and settlement hierarchy are consistent between the adopted Plan and emerging document. Therefore, the principle of a strategic extension to Southbourne is consistent with the strategic policies of the adopted Local Plan.

## 2.0 REPRESENTATIONS TO THE REGULATION 19 CONSULTATION

The Local Plan Vision

Whilst we support the broad direction of the vision within the draft Local Plan for sustainable development, improved accessibility and climate change mitigation, we question whether the identified issues within the Chichester Plan Area are addressed by the vision. There would appear to be a lack of aspiration as to what the Council want Chichester District to become over the course of the plan period and beyond. Issues are identified, namely those of out-commuting and an ageing population, with no tangible solutions identified at the overarching direction stage. This results in the vision portraying a bland image and lack of overall ambition.

The Vision acknowledges that, by the end of the plan period (2039), only half of the District's population will be working

age, a fall from 55.8% and well below the national average of 62.3%. Despite the Plan's recognition of this the vision fails to identify how the District plans to attract those of a working age at this stage, which will only exacerbate the HEDNA's forecast of a further fall away from the national average in terms of active workforce. We would suggest that the most appropriate solution to champion at the vision stage is to utilise housing and the spatial strategy as a means to not only address the decreasing active workforce but also to confront other issues such as outcommuting and increased reliance on private motor vehicles.

In this regard, we consider there is an opportunity for the strategic allocations across the District to plan for working aged people to be a major constituent part of the communities created, whilst also planning for a mixed uses and meaningful alternatives to the private car so as to reduce reliance on the private car and create sustainable communities.

#### Change suggested by respondent:

Issues are identified, namely those of out-commuting and an ageing population, with no tangible solutions identified at the overarching direction stage. This results in the vision portraying a bland image and lack of overall ambition.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** The Vision is that by 2039,

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

#### Summary:

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

#### Full text:

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE).

CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

#### Chapter 2: Vision & Strategic Objectives

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

#### Chapter 3: Spatial Strategy and Settlement Hierarchy

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

#### Policy S1 Spatial Development Strategy

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the



settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood. Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

#### Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

### Chapter 4: Climate Change and the Natural Environment

#### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

#### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

## Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

## Chapter 5: Housing

### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where

'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'. However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

#### Chapter 6: Place-making

##### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

#### Chapter 7: Employment and Economy

##### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period." Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

#### Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council's proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE's land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

##### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the

village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

#### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate

and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

#### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>

D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>

East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>

Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>

Hunston Vision Document - <https://chichester.oc2.uk/a/t63>

Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Object

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**Document Element:** The Vision is that by 2039,

**Respondent:** Beechcroft Developments Limited [8188]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

Vision suggests people will be able to choose from a variety of homes to suit their incomes, needs, lifestyle and stage of life in accessible locations close to existing or new services, meeting the needs of young people, families and older people. However, Plan does not propose to meet housing needs and as a result, there will be an insufficient supply to meet housing needs let alone provide choice. Households on a lower income will find it increasingly difficult to find suitable housing, households generally will find it increasingly difficult to access suitable housing regardless of needs, lifestyle and stage of life, housing needs of young people, families and older people will not be met.

**Full text:**

See attachments.

**Change suggested by respondent:**

Proposed policies are directly at odds with proposed Vision - either the Vision will need to be amended to recognise that housing needs will not be met and choice will not be provided, or policies will need to be amended to provide for housing needs and choice.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp5>

Appendix 1 - Representations on Housing Requirement and Supply - <https://chichester.oc2.uk/a/sp6>

Appendix 2 - Statement of Representations - A27 Mitigation Contributions - <https://chichester.oc2.uk/a/sp7>

## Object

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**Document Element:** The Vision is that by 2039,

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Object on grounds that needs to be locally distinctive to give a greater 'sense of place'; leaves out important designations; says nothing about water quality, water neutrality, nutrient neutrality or source protection zones; unrealistic - should recognise sustainable and active travel not possible in some areas, ie; Kirdford.

**Full text:**

See attachment.

**Change suggested by respondent:**

Vision and objectives should be amended: to be locally distinctive; include important designations; reference East-West Corridor and Manhood Peninsula; refer to water quality and neutrality, nutrient neutrality and source protections zones; to be realistic.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

**Document Element:** The Vision is that by 2039,

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England maintains its advice, provided both as part of the Regulation 18 statutory consultation in 2019 and through subsequent, non-statutory consultations during 2021 and 2022. This has still not been addressed in the following areas [changes to plan refer]

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

- Bullet point 1 – Natural England advise that “water scarcity” be mentioned under this, as it is recognised as an issue (under Issues and Options 2.29, p23)
- Bullet point 6 – Natural England advise the mention of “(including water supply)” after “natural” in this bullet, in order to provide context for its inclusion in Objective 7 Strategic Infrastructure on p32

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Support

**Document Element:** Chichester City and the East West Corridor, 2.38

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Supported subject to the provisions we suggest in response to paragraph 2.3.

**Full text:**

Supported subject to the provisions we suggest in response to paragraph 2.3.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Chichester City and the East West Corridor, 2.38

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

Notwithstanding this aim, the NE Parishes have housing allocated not because of identified need but, apparently, to 'make up the numbers'.

Further, it is evident from details in the Infrastructure Development Plan that infrastructure improvements are focused around Chichester. Apart from St Richards Hospital in Chichester, the majority of WG residents do not look to the Chichester for services. Primarily as a result of the SDNP splitting Chichester District, the northern parishes are remote from Chichester.

**Full text:**

Support – with qualification

Notwithstanding this aim, the NE Parishes have housing allocated not because of identified need but, apparently, to 'make up the numbers'.

Further, it is evident from details in the Infrastructure Development Plan that infrastructure improvements are focused around Chichester. Apart from St Richards Hospital in Chichester, the majority of WG residents do not look to the Chichester for services. Primarily as a result of the SDNP splitting Chichester District, the northern parishes are remote from Chichester.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Object

**Document Element:** Chichester City and the East West Corridor, 2.38

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

Notwithstanding this aim, the NE Parishes have housing allocated not because of identified need but, apparently, to 'make up the numbers'.

Further, it is evident from details in the Infrastructure Development Plan that infrastructure improvements are focused around Chichester. Apart from St Richards Hospital in Chichester, the majority of WG residents do not look to the Chichester for services. Primarily as a result of the SDNP splitting Chichester District, the northern parishes are remote from Chichester.

**Full text:**

Support – with qualification

Notwithstanding this aim, the NE Parishes have housing allocated not because of identified need but, apparently, to 'make up the numbers'.

Further, it is evident from details in the Infrastructure Development Plan that infrastructure improvements are focused around Chichester. Apart from St Richards Hospital in Chichester, the majority of WG residents do not look to the Chichester for services. Primarily as a result of the SDNP splitting Chichester District, the northern parishes are remote from Chichester.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Chichester City and the East West Corridor, 2.38

**Respondent:** Chichester City Council Neighbourhood Plan Steering Group (Councillor Sarah Quail) [8184]

**Summary:**

Paragraph 2.3. states that the cathedral city of Chichester is the main settlement while paragraph 2.38. says that the emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area's main centre. The role of the Chichester Neighbourhood Plan in consolidating and enhancing Chichester as the main centre should be referenced here and throughout this chapter.

**Full text:**

See attachment.

**Change suggested by respondent:**

Reference Chichester Neighbourhood Plan

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/syp>

## Support

**Document Element:** Chichester City and the East West Corridor, 2.39

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

If students are to stay in the city to contribute economically and we are to attract young families, Chichester has to be a young person and young family friendly city with appropriate leisure, recreational and entertainment opportunities and affordable housing within the city to eliminate the need for a car. Other than the theatre there is no performing arts facility outside the University in Chichester and minimal late night facilities.

**Full text:**

If students are to stay in the city to contribute economically and we are to attract young families, Chichester has to be a young person and young family friendly city with appropriate leisure, recreational and entertainment opportunities and affordable housing within the city to eliminate the need for a car. Other than the theatre there is no performing arts facility outside the University in Chichester and minimal late night facilities.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Chichester City and the East West Corridor, 2.39

**Respondent:** Chichester City Council Neighbourhood Plan Steering Group (Councillor Sarah Quail) [8184]

**Summary:**

We request that paragraph 2.39 is updated to refer to the forthcoming Chichester Neighbourhood Plan, and not the existing vision document.

**Full text:**

See attachment.

**Change suggested by respondent:**

We request that paragraph 2.39 is updated to refer to the forthcoming Chichester Neighbourhood Plan, and not the existing vision document.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/syp>

## Object

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**Document Element:** Chichester City and the East West Corridor, 2.40

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

I do not consider the location of most of the development to be well located. Both Tangmere and Southbourne are outside the city, Southbourne by a distance of 6 miles. There is insufficient evidence to show that there will be any modal shift to alternative forms of transport than the car. Transport links are poor and the distances too great for most people to walk or cycle. Cycling links to the city from both Tangmere and Southbourne are poor. Public transport is irregular, infrequent and expensive.

**Full text:**

I do not consider the location of most of the development to be well located. Both Tangmere and Southbourne are outside the city, Southbourne by a distance of 6 miles. There is insufficient evidence to show that there will be any modal shift to alternative forms of transport than the car. Transport links are poor and the distances too great for most people to walk or cycle. Cycling links to the city from both Tangmere and Southbourne are poor. Public transport is irregular, infrequent and expensive.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

---

**Document Element:** Chichester City and the East West Corridor, 2.40

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Recent history suggests new developments have been site-centric providing 'lip-service' to wider economic, social and environmental needs. Policies applicable to allocations or general developments should specify the minimum standard each should meet in terms of Plan objectives and developers required to provide demonstrable evidence in support.

**Full text:**

Recent history suggests new developments have been site-centric providing 'lip-service' to wider economic, social and environmental needs. Policies applicable to allocations or general developments should specify the minimum standard each should meet in terms of Plan objectives and developers required to provide demonstrable evidence in support.

**Change suggested by respondent:**

The plan should explain how it will ensure new development takes account of the listed issues.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Letter to Council Goodwood - <https://chichester.oc2.uk/a/t8h>

## Object

**Document Element:** Chichester City and the East West Corridor, 2.41

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

The over-reliance of development in the east-west corridor risks delivering unsustainable levels of housing on unwilling communities - particularly between Chichester and Emsworth to the west of the city.

**Full text:**

The over-reliance of development in the east-west corridor risks delivering unsustainable levels of housing on unwilling communities - particularly between Chichester and Emsworth to the west of the city. The proposed delivery of 3,225 houses in this area (1,600 west of Chichester, 1,050 Southbourne, 245 Bosham, 300 Chidham & Hambrook, 30 Fishbourne) cannot be reconciled with the objectives of conserving local distinctiveness, character and cohesion of settlements. The infrastructure to support this level of development is simply not in place, and is unlikely to be through the Plan duration (particularly waste water treatment, roads, doctors, schools). The proposed levels of development are disproportionate to the size of the existing settlements, and therefore will by default alter their character immeasurably.

**Change suggested by respondent:**

Reduction in the housing allocation, particularly the distribution along the boundary of the Chichester Harbour AONB.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqf>

## Support

**Document Element:** Chichester City and the East West Corridor, 2.41

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

The Council's acknowledgment of the site's location, situated within the best location for transport connections, is welcomed. The site should therefore be considered suitable for delivering economic growth, comprising increased production, processing, storage and distribution of products to the rest of the UK as well as internationally. This is as a result of site's proximity to the A27 and subsequent ease of access to the rest of the County's nationally significant highway network..

**Full text:**

The Council's acknowledgment of the site's location, situated within the best location for transport connections, is welcomed. The site should therefore be considered suitable for delivering economic growth, comprising increased production, processing, storage and distribution of products to the rest of the UK as well as internationally. This is as a result of site's proximity to the A27 and subsequent ease of access to the rest of the County's nationally significant highway network..

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/scv>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sw7>

## Object

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**Document Element:** Chichester City and the East West Corridor, 2.41

**Respondent:** Save our South Coast Alliance (Libby Alexander) [7648]

**Summary:**

The A27 is nothing but a huge barrier preventing the communities from accessing their city and its amenities and creating gridlock at the roundabouts.

The A259 is under growing stress from the rise in households along its length making accessing the A27 at Fishbourne roundabout a daily hazard.

The air pollution levels rise, the buildings suffer from heavy vehicles, and the designated national path of Emperor's Way taking walkers to and from the Marshes to the village is a daily stressful safety hazard. The 30mph is regularly ignored and because the village is approached through a bend the pedestrians are out of sight until too late. .

The A259 is also the relief road for when the major strategic road A27 is blocked.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Local Plan - Submission to CDC - <https://chichester.oc2.uk/a/sph>

## Support

---

**Document Element:** Chichester City and the East West Corridor, 2.42

**Respondent:** John Newman [8169]

**Summary:**

Good - and I hope that this happens. Polluted water is clearly a significant aspect of this.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

---

**Document Element:** Chichester City and the East West Corridor, 2.42

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Objectives are supported but detail of how this is to be achieved must be set out.

What is the precise meaning and expectations of "...carefully managed by maintaining and enhancing the countryside between settlements." What does this actually mean? Does this mean no development, countryside protected for its own sake, protected local countryside gaps, limited appropriate development, limited development in identified locations?

**Full text:**

Objectives are supported but detail of how this is to be achieved must be set out.

**Change suggested by respondent:**

While policies and proposals elsewhere in the local plan might make appropriate provision for this objective, this introductory paragraph should indicate generally the development expectations within the area between the National Park and the Harbour AONB, including the locally strategic growth areas.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Support Letter 10 1 23 - <https://chichester.oc2.uk/a/sq5>

## Object

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**Document Element:** Chichester City and the East West Corridor, 2.45

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Chidham & Hambrook has been misrepresented as a service village. The criteria used is flawed. There is no convenience store, medical services, recreation ground, sports facilities unlike Fishbourne and Bosham. 300 houses is not moderate growth. It increases the population by 30% there are minimal existing facilities to expand and there is no provision in this plan for increased public transport options. Its just left to the private sector to provide, a sector whose aim is to make a profit. There is no bus service north to south and the east/west bus service has been cut to 2 an hour.

**Full text:**

Chidham & Hambrook has been misrepresented as a service village. The criteria used is flawed. There is no convenience store, medical services, recreation ground, sports facilities unlike Fishbourne and Bosham. 300 houses is not moderate growth. It increases the population by 30% there are minimal existing facilities to expand and there is no provision in this plan for increased public transport options. Its just left to the private sector to provide, a sector whose aim is to make a profit. There is no bus service north to south and the east/west bus service has been cut to 2 an hour.

**Change suggested by respondent:**

To redefine the service village criteria.

To reduce the housing to both these villages.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Chichester City and the East West Corridor, 2.45

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

The villages between Chichester and Southbourne are not suitable locations for high levels of housing. 300 houses in both C & H and Bosham are not moderate levels of growth and will increase the population by an unacceptable percentage. We contend that C & H is not a service village as it does not have facilities of an every day nature. There is a confusion here between Chidham and Hambrook and Nutbourne and Hambrook as mentioned elsewhere in the Plan. This needs to be clarified. Building of this magnitude in both these villages will be contrary to other policies e.g Spatial Strategy, use of agricultural land, air quality, environment, landscape view, AONB etc.

**Full text:**

The villages between Chichester and Southbourne are not suitable locations for high levels of housing. 300 houses in both C & H and Bosham are not moderate levels of growth and will increase the population by an unacceptable percentage. We contend that C & H is not a service village as it does not have facilities of an every day nature. There is a confusion here between Chidham and Hambrook and Nutbourne and Hambrook as mentioned elsewhere in the Plan. This needs to be clarified. Building of this magnitude in both these villages will be contrary to other policies e.g Spatial Strategy, use of agricultural land, air quality, environment, landscape view, AONB etc.

**Change suggested by respondent:**

Reduce the number of houses and divert them to other areas and settlement hubs with greater infrastructure.  
Small levels of growth because of limited facilities.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Manhood Peninsula, 2.46

**Respondent:** Barratt David Wilson Homes [7523]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

Paragraphs 2.43 – 2.45 of the draft Plan set out the reasoning, which relates to the need to protect the semi-rural nature of 'some' settlements and in recognition of the important wildlife habitats such as Pagham Harbour and Medmerry. These highlighted areas are subject to international wildlife designations and are very different to say our clients land at Stubcroft Farm, which has no heightened landscape or wildlife designations. On the contrary, land at Stubcroft Farm comprises relatively ordinary open arable land, which is intensively farmed. It is not extraordinary in any form and a blanket approach suggested by the Council, highlighting landscapes or habitats of national or international importance is not reflective of the entirety of the Manhood Peninsula. This should not be taken as a reason for not allowing further development, which is suitably located, on the Manhood Peninsula.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/syq>

## Support

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**Document Element:** Manhood Peninsula, 2.47

**Respondent:** Mr Joseph O'Sullivan [35]

**Summary:**

Need to take account of inadequate infrastructure, lack of full time employment opportunities, poor sewerage systems, lack of school places and traffic congestion.

**Full text:**

Need to take account of inadequate infrastructure, lack of full time employment opportunities, poor sewerage systems, lack of school places and traffic congestion

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Manhood Peninsula, 2.48

**Respondent:** Mrs Victoria Douglas [7725]

**Summary:**

Neglects to address the value of marine leisure/recreation which is a critical feature of the manhood peninsula.

**Full text:**

Neglects to address the value of marine leisure/recreation which is a critical feature of the manhood peninsula.

**Change suggested by respondent:**

Specific inclusion of marine leisure/recreation industry

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None



**Document Element:** North of the Plan Area, 2.49

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

The rural character of Wisborough Green, a jewel of a village within the whole of Chichester District, cannot be maintained if:

- new housing numbers are allocated that increase the village size by double-digit percentages.
- sites identified within the HELAA ignore the unique nature of the village.
- there is an expectation that local communities become more self-reliant to meet their local needs.

This statement is in direct conflict with 2.27.

The maintenance of the rural character of the parishes within the NE is essential.

**Full text:**

Support – with qualification

The rural character of Wisborough Green, a jewel of a village within the whole of Chichester District, cannot be maintained if:

- new housing numbers are allocated that increase the village size by double-digit percentages.
- sites identified within the HELAA ignore the unique nature of the village.
- there is an expectation that local communities become more self-reliant to meet their local needs.

This statement is in direct conflict with 2.27.

The maintenance of the rural character of the parishes within the NE is essential.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** North of the Plan Area, 2.49

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

The rural character of Wisborough Green, a jewel of a village within the whole of Chichester District, cannot be maintained if:

- new housing numbers are allocated that increase the village size by double-digit percentages.
- sites identified within the HELAA ignore the unique nature of the village.
- there is an expectation that local communities become more self-reliant to meet their local needs.

This statement is in direct conflict with 2.27.

The maintenance of the rural character of the parishes within the NE is essential.

**Full text:**

Support – with qualification

The rural character of Wisborough Green, a jewel of a village within the whole of Chichester District, cannot be maintained if:

- new housing numbers are allocated that increase the village size by double-digit percentages.
- sites identified within the HELAA ignore the unique nature of the village.
- there is an expectation that local communities become more self-reliant to meet their local needs.

This statement is in direct conflict with 2.27.

The maintenance of the rural character of the parishes within the NE is essential.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** North of the Plan Area, 2.49

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. It is inconceivable for WG to become more self-reliant in meeting local needs. The primary need is for food, and a small village shop fulfils basic requirements for some residents. The majority of residents are reliant upon car use to access shops in excess of 3 miles away. The nearest superstore, in Horsham, is 8.7 miles away.

There are no bus routes.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. It is inconceivable for WG to become more self-reliant in meeting local needs. The primary need is for food, and a small village shop fulfils basic requirements for some residents. The majority of residents are reliant upon car use to access shops in excess of 3 miles away. The nearest superstore, in Horsham, is 8.7 miles away.

There are no bus routes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** North of the Plan Area, 2.49

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. It is inconceivable for WG to become more self-reliant in meeting local needs. The primary need is for food, and a small village shop fulfils basic requirements for some residents. The majority of residents are reliant upon car use to access shops in excess of 3 miles away. The nearest superstore, in Horsham, is 8.7 miles away.

There are no bus routes.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. It is inconceivable for WG to become more self-reliant in meeting local needs. The primary need is for food, and a small village shop fulfils basic requirements for some residents. The majority of residents are reliant upon car use to access shops in excess of 3 miles away. The nearest superstore, in Horsham, is 8.7 miles away.

There are no bus routes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** North of the Plan Area, 2.49

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

Plaistow and Ifold Parish Council would have liked to see a like-for-like replacement of Chichester's current Local Plan 2014 – 2029 Policy 25, 'Development in the North of the Plan' in the emerging plan.

**Full text:**

Plaistow and Ifold Parish Council notes that there is no like-for-like replacement of Chichester's current Local Plan 2014 – 2029 Policy 25, 'Development in the North of the Plan' in the emerging plan; but there is a substantial amount of explanation about the area strategy in the supporting text for Chapter 2 and in the supporting text for Policy S1, which is the spatial development strategy.

The Council would have liked to see a policy more explicitly linking the nature and capacity of the spatial areas with the proposed housing allocations. This was achieved in Policy 25 of the current adopted Local Plan.

The Spatial Strategy and recognition of different landscapes is supported by Plaistow and Ifold Parish Council; however, the distinctive differences of the landscapes within the District are not adequately followed through and protected within policy. As drafted, NE10 does not help to conserve the distinctive qualities of the landscapes as it is not specific. The separate/distinctive Policy 25, 'Development in the North of the Plan' within Chichester's current Local Plan 2014 – 2029 helps to underline and support Chichester's aspiration to conserve and enhance the distinctive landscape in the North of the Plan Area, which is currently significantly weakened by the omission of a distinctive policy in the current draft version of the Plan.

**Change suggested by respondent:**

Propose a distinctive policy for development in the North of the Plan, which would more explicitly link the nature and capacity of the spatial areas with the proposed housing allocations. This was achieved in Policy 25 of the current adopted Local Plan.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** North of the Plan Area, 2.49

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

Support in principle

**Full text:**

Plaistow and Ifold Parish Council notes that there is no like-for-like replacement of Chichester's current Local Plan 2014 – 2029 Policy 25, 'Development in the North of the Plan' in the emerging plan; but there is a substantial amount of explanation about the area strategy in the supporting text for Chapter 2 and in the supporting text for Policy S1, which is the spatial development strategy.

The Council would have liked to see a policy more explicitly linking the nature and capacity of the spatial areas with the proposed housing allocations. This was achieved in Policy 25 of the current adopted Local Plan.

The Spatial Strategy and recognition of different landscapes is supported by Plaistow and Ifold Parish Council; however, the distinctive differences of the landscapes within the District are not adequately followed through and protected within policy. As drafted, NE10 does not help to conserve the distinctive qualities of the landscapes as it is not specific. The separate/distinctive Policy 25, 'Development in the North of the Plan' within Chichester's current Local Plan 2014 – 2029 helps to underline and support Chichester's aspiration to conserve and enhance the distinctive landscape in the North of the Plan Area, which is currently significantly weakened by the omission of a distinctive policy in the current draft version of the Plan.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** North of the Plan Area, 2.49

**Respondent:** Mr Phillip Luff [8017]

**Summary:**

Many of our key needs are not being met at the moment as the lanes and roads are not being maintained for the local community as it stands, ie there are significant potholes in many of our roads and lanes, some lanes that are required to access Plaistow are regularly flooded, the traffic speeds through our roads above the speed limits causing concern for pedestrians, dog-walkers, horse-riders, carriage-drivers and local traffic. Our rural lanes and roads are narrow, winding, without edges or guttering, not designed for heavy traffic and are struggling to cope with the local population as it stands.

**Full text:**

Many of our key needs are not being met at the moment as the lanes and roads are not being maintained for the local community as it stands, ie there are significant potholes in many of our roads and lanes, some lanes that are required to access Plaistow are regularly flooded, the traffic speeds through our roads above the speed limits causing concern for pedestrians, dog-walkers, horse-riders, carriage-drivers and local traffic. Our rural lanes and roads are narrow, winding, without edges or guttering, not designed for heavy traffic and are struggling to cope with the local population as it stands.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** North of the Plan Area, 2.49

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Object on grounds that no explanation or heading for three plan areas - unclear of purpose; unclear what is meant by local communities becoming more self-reliant - Kirdford has virtually no local infrastructure; locating 50 dwellings will not conserve and enhance Kirdford.

**Full text:**

See attachment.

**Change suggested by respondent:**

Provide heading or explanation for this section of the plan to ensure clarity.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Support

---

**Document Element:** North of the Plan Area, 2.50

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – WGPC supports this approach but questions how it could be applied to Wisborough Green. This statement is in direct conflict with 2.27. Services in WG cannot be improved without having a detrimental impact upon the rural character and historic environment.

**Full text:**

Support – WGPC supports this approach but questions how it could be applied to Wisborough Green. This statement is in direct conflict with 2.27. Services in WG cannot be improved without having a detrimental impact upon the rural character and historic environment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** North of the Plan Area, 2.50

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – WGPC supports this approach but questions how it could be applied to Wisborough Green. This statement is in direct conflict with 2.27. Services in WG cannot be improved without having a detrimental impact upon the rural character and historic environment.

**Full text:**

Support – WGPC supports this approach but questions how it could be applied to Wisborough Green. This statement is in direct conflict with 2.27. Services in WG cannot be improved without having a detrimental impact upon the rural character and historic environment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** North of the Plan Area, 2.50

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

### Summary:

The Council has some concerns about the implications of 'enhancement' of local services and facilities. Enhancement is normally required to cope with greater numbers of people. If the primary emphasis in the North of the Plan Area is to maintain "the rural character of the existing villages, whilst enabling the local communities to become more self-reliant in meeting their local needs..." then tighter drafting is required to ensure that all development in the area is driven by evidenced existing local need – rather than a potential 'local need' once development has been delivered.

### Full text:

The Council supports the main messages as drafted; however, it has some concerns about the implications of 'enhancement' of local services and facilities.

Enhancement is normally required to enable existing modest services and facilities – which support local need only - to cope with greater numbers of people. As drafted, this part of the Plan offers the potential for confusing and conflicting decision making.

If the primary emphasis in the North of the Plan Area is to maintain "the rural character of the existing villages, whilst enabling the local communities to become more self-reliant in meeting their local needs..." then tighter drafting is required to ensure that all development in the area is driven by evidenced existing local need – rather than a potential 'local need' once development has been delivered.

### Change suggested by respondent:

Suggest tighter drafting is required to ensure that all development in the area is driven by evidenced existing local need – rather than a potential 'local need' once development has been delivered.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** North of the Plan Area, 2.50

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

### Summary:

Support in principle

### Full text:

The Council supports the main messages as drafted; however, it has some concerns about the implications of 'enhancement' of local services and facilities.

Enhancement is normally required to enable existing modest services and facilities – which support local need only - to cope with greater numbers of people. As drafted, this part of the Plan offers the potential for confusing and conflicting decision making.

If the primary emphasis in the North of the Plan Area is to maintain "the rural character of the existing villages, whilst enabling the local communities to become more self-reliant in meeting their local needs..." then tighter drafting is required to ensure that all development in the area is driven by evidenced existing local need – rather than a potential 'local need' once development has been delivered.

### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Cross Boundary Strategic Objectives, 2.52

**Respondent:** Beechcroft Developments Limited [8188]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

Paragraph 2.52 suggests that strategic objectives align with the objectives of LSS2, one of which is meeting strategic housing needs. However, paragraph 5.2 of the proposed submission draft explicitly identifies that not only will the housing needs of the plan-area not be met, but also that no contribution will be made to the unmet needs of the South Downs or the sub-area more widely.

**Full text:**

See attachments.

**Change suggested by respondent:**

Proposed policies directly undermine objectives of LSS2 - either paragraph 2.52 will need to be amended to recognise that there is some conflict between policies of Plan and objectives of LSS2, or policies will need to be amended to provide for strategic housing needs.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp5>

Appendix 1 - Representations on Housing Requirement and Supply - <https://chichester.oc2.uk/a/sp6>

Appendix 2 - Statement of Representations - A27 Mitigation Contributions - <https://chichester.oc2.uk/a/sp7>

## Object

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**Document Element:** Cross Boundary Strategic Objectives, 2.53

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

The Local Plan is not positively prepared. The proposed expansion of HDAs is welcome. However the council's current approach to restrictions on co-location of functionally linked businesses and activities within the food park/cluster is impacting on business competitiveness and efficiency.

**Full text:**

The Runcton HDA is home to a number of the most high performing horticultural operations in the south of England. These businesses are well-established and are capable of supporting sustainable and continued economic growth. This in turn will benefit the wider horticultural sector in the South. The current and proposed HDA policies do however act as a barrier to economic growth.

The current HDA policy is acknowledged within the 2018 HEDNA as a barrier to growth due to the failure to support functionally associated uses. The importance of associated uses to the cluster is also acknowledged within The Council's evidence base and other key Government and Industry publications.

**Change suggested by respondent:**

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/scc>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sw8>

**Document Element:** Cross Boundary Strategic Objectives, 2.53

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway supports spatial priority 2 setting out that Chichester City / Tangmere / Bognor Regis gives priority to the infrastructure improvements needed to support delivery of strategic employment and housing sites identified in Chichester and Arun Local Plans. There is a need for significant investment in Chichester's infrastructure to enable housing targets to be met. Bellway therefore consider it vital that strategic infrastructure improvements are delivered. New development offers the best means of securing investment in the area including through contributions towards such improvements albeit there is a fine balance to achieve in ensuring development is viable, particularly in regeneration areas such as Southern Gateway.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Document Element:** Strategic Objectives, 2.54

**Respondent:** Hallam Land Management Limited [1696]

**Agent:** LRM Planning Ltd (Miss Kate Coventry, Senior Planner) [6627]

**Summary:**

Submission Plan has identified key challenges and opportunities that influence future planning, across the District and how it aims to address these through planning policies and proposals. The strategic objectives are structured into specific categories, ensuring housing and neighbourhood objectives are clearly set out for the plan period. Amongst these is the objective to increase housing supply; increase provision of affordable housing; and promote the development of mixed, balanced and well-integrated communities. These are consistent with the NPPF's policy objective to significantly boost the supply of housing in paragraph 60. In this context, it is right that the Local Plan's development strategy is founded on this objective, ensuring sustainable development which responds to social, economic and environmental considerations that meets the needs of the plan area. These objectives frame the policies and proposals for future development across the plan area to create sustainable neighbourhoods; this demonstrates, as a matter of principle, that the Local Plan intends to be positively prepared and justified, albeit there are limitations on how this is achieved in practice when the policies and proposals are considered.

**Full text:**

1 Introduction

1.1 These Representations have been prepared on behalf of Hallam Land Management Limited (hereafter 'Hallam'), in response to the Chichester Local Plan Review Proposed Submission Plan consultation.

1.2 Hallam is a strategic land promotion company operating throughout England, Wales and Scotland delivering land for new employment and commercial premises, housing, including specialist elderly housing, and mixed-use developments. Hallam has been acquiring, promoting, developing and trading in land since 1990. During that time, the company has established an outstanding record in resolving complex planning and associated technical problems in order to secure planning permissions for a whole range of different land uses to facilitate the delivery of new development.

1.3 Hallam control land to the west of Southbourne, to the north of the A259 and south of the railway line. Development of this land for new housing including specialist elderly accommodation, as shown in the accompanying Vision Document, would be consistent with the established Spatial Strategy; which is rightly retained in the consultation document. Similarly, development would contribute towards meeting the future housing needs of the District within the proposed Broad Location for Development (BLD) at Southbourne.

1.4 These Representations set out our support for the BLD drawn on the key diagram to the west and east of Southbourne. However, Hallam are seeking amendments to Policies S1, H1, H2, H8 and A13 to ensure that: the overall housing needs are met across the District, including early delivery and specialist accommodation; the flexibility sought early in the Submission Plan, at Policy S2 and H1, is carried through to the strategic allocations and locations; and, the BLD is distributed to the west and east of Southbourne.



1.5 Moreover, Hallam are proposing the allocation of small and medium scale sites at Southbourne within the Local Plan, to enable early delivery of housing and infrastructure, with the land under their control a suitable site for this allocation. Should the Council not allocate these sites, then the strategic allocations/locations policies need to be updated to reflect the requirement for the delivery of small and medium scale parcels which could form part of the larger sites.

1.6 In the context of the above, it is instructive to note that Chichester District has an older population than national average, which has been predicted to increase by 42% between 2021- 2039. The increasing need for specialist accommodation should be addressed through specific allocations within the Local Plan, rather than the proposed approach of Policy H8.

1.7 Our response is focused on the following matters:

- The Spatial Strategy, settlement hierarchy and the distribution of development across the District;
- The overall amount of new housing required within the new plan period;
- The need for specialist accommodation;
- The status of Southbourne and the role and function it plays; and
- The strategic allocation proposed at Southbourne in Policy AL13.

1.8 In preparing the Local Plan Review, the Council will need to ensure that it complies with paragraph 35 of the National Planning Policy Framework (NPPF) (2021) which sets out four tests to ensure the plan is 'sound'. These are as follows:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet needs from neighbouring areas are accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross- boundary strategic matters that have been dealt with rather than deferred, as evidenced by statements of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.9 We are mindful that the Government has recently published a consultation concerning potential amendments to the NPPF. Paragraph 1 of that consultation document indicates that the government is committed to "building more homes" whilst Paragraph 6 explains that the government "remains committed to delivering 300,000 homes a year by the mid-2020s".

1.10 In the proposed revisions, paragraph 1 makes clear that the NPPF provides "a framework within which locally-prepared plans can provide for sufficient housing and other development in a sustainable manner." At paragraph 60 the overall aim of a Local Plan is identified as meet[ing] as much housing need as possible with an appropriate mix of housing types to meet the needs of communities.

1.11 It is clear therefore that the potential amendments to the NPPF firmly intend that Local Plans, including this one, continue to provide a sufficient supply of housing land to meet identified needs.

## 2 Objectives and Spatial Strategy

### Objectives of the Local Plan

2.1 The Submission Plan has identified key challenges and opportunities that influence future planning, across the three areas of the District, and how it aims to address these through planning policies and proposals.

2.2 Within the consultation document, the strategic objectives presented by the Council are structured into specific categories, ensuring housing and neighbourhood objectives are clearly set out for the plan period.

2.3 Amongst these is the objective to increase housing supply; increase provision of affordable housing; and promote the development of mixed, balanced and well-integrated communities. These are consistent with the NPPF's policy objective to significantly boost the supply of housing in paragraph 60. In this context, it is right that the Local Plan's development strategy is founded on this objective, ensuring sustainable development which responds to social, economic and environmental considerations that meets the needs of the plan area.

2.4 These objectives frame the policies and proposals for future development across the plan area to create sustainable neighbourhoods; this demonstrates, as a matter of principle, that the Local Plan intends to be positively prepared and justified, albeit there are limitations on how this is achieved in practice when the policies and proposals are considered.

2.5 The NPPF states at paragraph 22 that strategic policies should look ahead over a minimum 15 year period from the date of the Plan's adoption. The Local Plan aims to cover the period of 2021- 2039, which is 18 years. However, this plan has not been adopted yet and it is considered unlikely that this Local Plan will be adopted before 2024-25. Therefore, the Plan may not cover the required plan period of 15 years and the Council should extend the plan period to at least 2040 to ensure this requirement is met.

## Policy S1: Spatial Strategy

2.6 The Spatial Strategy is accompanied by the Key Diagram (Map 3.1), identifying the distribution of development and infrastructure provision across the plan area.

2.7 The strategy aims to build on the existing Local Plan, focusing growth at Chichester city, as the main sub-regional centre, and at two settlement hubs along the east-west corridor at Tangmere and Southbourne.

2.8 Policy S1 specifically identifies the broad approach to providing sustainable development, in accordance with the Local Plan Objectives, ensuring development is focused principally along the east-west corridor. It aims to distribute development in line with the settlement hierarchy, ensuring development is located in the larger and more sustainable settlements.

2.9 This accords with paragraph 20 of the NPPF which requires strategic policies to set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for housing, infrastructure, community facilities along with policies that seek to conserve and enhance the environment.

2.10 Paragraph 105 of the NPPF states that the planning system should actively manage patterns of growth in support of these objectives. With significant development being focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

2.11 Paragraph 69 of the NPPF sets out how small and medium scale sites can make an important contribution to meeting the housing requirement. Part d) identifies how working with developers to encourage the sub division of large sites could help to speed up the delivery of homes.

2.12 In this context, Policy S1 (6) outlines how non-strategic provision is made for small scale housing developments consistent with the indicative housing numbers set out in Policy H3, however this does not identify an approach to medium scale sites. Consequently, the Local Plan should allocate small and medium scale sites for residential development.

2.13 Should the Local Plan not allocate these scale sites, then there should be parcels within the BLDs identified as medium scale sites for early delivery in the plan period without prejudicing the BLDs. Policy S1 should be amended to include medium scale sites and to require flexibility to the housing target. This is discussed further in respect of Policy A13.

2.14 Policy S1 (7) states that strategic allocations and locations will be made through either this emerging Local Plan, the extant Site Allocation Development Plan 2014-2019 (or subsequent Site Allocation Development Plan Document (DPD)) and through Neighbourhood Plans. Notwithstanding the allocations in the emerging Local Plan, the most appropriate future mechanism is the Site Allocations DPD, which has to meet the 'tests of soundness' rather than 'basic conditions'. This more rigorous approach to plan making is better able to address the site selection process and assessment of delivery requirements that a strategic allocation will need to demonstrate, particularly when taking account of the scale of growth proposed at Southbourne.

2.15 Lastly, the final paragraph of Policy S1 states that to ensure that the Plan's housing requirement is delivered, "the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in accordance with this Strategy". The wording of this should be amended to state flexibility will be needed rather than may be needed, to ensure there is the ability to mitigate delays on allocations being brought forward by alternative proposals in order to meet the housing requirement over the plan period.

2.16 The use of the Authority Monitoring Report to control this is considered an acceptable approach, and policies A6 to A15 should reflect this requirement for flexibility. In practical terms, the LPA will need to consider performance in bringing forward and delivering large-scale development and enable alternative solutions where the required outcomes are not being achieved. This is discussed later in relation to Policy A13 specifically.

## Policy S2: Settlement Hierarchy

2.17 The consultation document sets out a Settlement Hierarchy which is to serve as the framework for the Council to achieve its vision for the plan area, meet the scale of development required and enhance the quality of the built natural, historic, social and cultural environments, whilst sustaining the vitality of communities. This hierarchy seeks to deliver sustainable development that will support the role and function of different places within the plan area.

2.18 In this regard, Policy S2 is consistent with the NPPF acknowledging how "significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, improve air quality and public health." (paragraph 105 refers). The Settlement Hierarchy ensures that new development is located in areas where residents have access to facilities and services and a range of public transport networks.

2.19 Chichester city is identified as the Sub-Regional Centre, with four Settlement Hubs being identified at East Wittering/Bracklesham; Selsey; Southbourne and Tangmere. This is a continuation of the existing spatial strategy in the Adopted Local Plan and consistent with the principle of locating new development at the most sustainable locations.

2.20 Southbourne is rightly identified as a Settlement Hub due to its range of local services and facilities, key public transport connections and employment/educational opportunities accessible via non vehicular methods of travel. The approach to Southbourne is discussed later at Section 4 and at Policy A13.

2.21 Accordingly, this strategic policy is positively prepared and justified, and is consistent with national policy promoting sustainable patterns of development.

### 3 Overall amount of Housing

#### Policy H1 Meeting Housing Needs Housing Need

3.1 Paragraphs 60 and 61 of the NPPF state that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.

3.2 Only in exceptional circumstances could an alternative approach be justified. But even then, that alternative approach will also need to reflect current and future demographic trends and market signals.

3.3 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan period, amounting to 575dpa.

3.4 This is lower than both a. the standard method figure of 638 dpa; and, b. the Preferred Approach figure in the previous consultation, of 650 dpa which included accommodating some unmet need arising from the South Downs National Park (SDNP) area. This shortfall will amount to over 1,100 dwellings across the plan period. Without any Statements of Common Ground being published by the Council or evidence of the shortfall being accommodated elsewhere, this remains unaddressed.

3.5 It is highly germane that the current Local Plan adopted a lower housing figure than the identified need of 505dpa, proposing instead to deliver 435dpa.

#### Affordability in Chichester

3.6 The affordability ratios have risen from 12.38 in 2015, when the current Local Plan was adopted, to 14.61 in 2021 for Chichester, which is significantly higher than the current 9.1 national average, increasing the need for affordable housing within Chichester.

3.7 Between the 2011 and 2021 census, the number of people ages 50 to 64 years rose by over 3,100 (an increase of 13.4%), while the number of residents between 35 and 49 years fell by approximately 1,900 (8.5% decrease).

3.8 Chichester's worsening affordability ratios and aging population, which typically occurs in line with house price increases, demonstrate the clear need to increase the housing delivery to meet current and future needs (in line with the NPPF), and maximise the potential for housing in this District. The current strategy to suppress housing provision will only exacerbate these problems.

3.9 With the Submission Plan proposing to not meet the identified need, this once again will be an issue which moves onto the next Local Plan, failing to tackle key issues across the District such as affordability and lack of housing land supply. These issues cannot simply be moved onto the next Local Plan, they should be addressed now.

#### Constraints for development

3.10 The lower figure of 575dpa reflects both the infrastructure constraints along the A27 and at the

Waste Water Treatment Works, but also no longer accommodating unmet need from SDNP.

3.11 The Transport Study (January 2023) assesses the capacity levels, with particular focus on the A27. Although the Council state that 535dpa is the highest level of development per year achievable, the conclusions of this latest Study state, at paragraphs 5.6.5 and 11.2.3, that development of 700 dpa could be accommodated (in the southern plan area) through the mitigation proposed in the previous scenario of 535dpa with some additional mitigation at the Portfield and Oving roundabout.

3.12 This Transport Study (2023) was published following the preparation of the Sustainability Appraisal which refers to the 2018 study, therefore the latest evidence on highways matters has not be considered within the preparation of this Local Plan.

3.13 This is fundamental to the Plan's approach – increasing the housing requirement could assist with funding those additional highway improvements, in line with the recommendations of the Transport Study at Section 9.3 to prioritise

junctions to avoid delays to housing delivery. This should be further reviewed by the Council to ensure the District's need is not being understated. It is recommended the housing need figure is reviewed in line with this evidence and the need to meet the minimum of the standard method figure of 638dpa, and aim to return to the 650dpa previously proposed.

#### Duty to Co-Operate

3.14 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

3.15 The East Hampshire Local Plan Review has identified 100dpa for the SDNP area of the District, below the identified need of 112dpa for the District's area and the overall requirement of 447dpa for the SDNP (Housing and Economic Development Needs Assessment 2017). In effect, in combination with Chichester, the National Park is needing to accommodate some 30 more dwellings per annum without any assessment as yet as to whether this can be achieved given the statutory protection that is afforded to it.

3.16 Whilst a Statement of Common Ground is referred to, it has not been published and therefore it is not possible to determine whether the decision not to make a provision for the National Park area is soundly based.

3.17 Previous evidence for the Preferred Approach demonstrated how the figure of 650dpa was achievable and necessary to help with the worsening affordability ratios across Chichester and the neighbouring authorities. Having removed provision for unmet need it is considered this plan has not been positively prepared.

#### Summary

3.18 Policy H1 clearly sets out how the majority of housing is to be delivered along the east-west corridor, with 535dpa in the southern plan area and 40dpa in the northern plan area. This is consistent with the Spatial Strategy and the Settlement Hierarchy, Policies S1 and S2, and the overarching objective of locating new housing at the most sustainable locations in the plan area.

3.19 By limiting the amount of housing there will be fewer schemes contributing to the required infrastructure improvements. Without developer contributions to fund wholesale upgrades to this infrastructure there is a risk of pushing the problem down the line for the next Local Plan to address, whilst problems with affordability and an aging population are further exacerbated.

3.20 All future schemes will be required to mitigate their impact on infrastructure including highways and utilities, and there is an opportunity for small to medium scale sites to be delivered in the short term whilst the larger allocations and/or the majority of the larger allocations await the upgrading of these works.

3.21 Currently, the proposal to reduce the overall housing supply for the new plan period is not supported, and the Council should review the Transport Study with the intention of meeting the assessed level of local housing need in full. Without the identified housing requirement being met in full the problem of the younger population being unable to afford to remain in Chichester will continue, further growing the gap in workforce and an increasingly aging population.

3.22 Therefore, this policy is not positively prepared, justified or consistent with the NPPF.

#### Policy H2 Strategic Locations/Allocations 2021-2039

3.23 The wording of 'at least' within Policy H1 provides flexibility on the ability to achieve the minimum amount of housing considered necessary by the Council, in line with Policy S2. Although this quantum is not agreed, the approach using 'at least' is considered a sensible approach to allow the achievement rather than under delivery of much needed open and market housing.

3.24 The strategic locations/allocations set out in Policy H2 do not reflect this flexible approach. Instead, the sites are fixed as exact number of dwellings for those locations.

3.25 Paragraph 119 of the NPPF requires planning policies to promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

3.26 Policy A13 is a BLD and is fixed at 1,050 dwellings within Policy H2, this does not allow for the masterplanning approach to further assess the actual capacity and the best use of this land.

3.27 As such flexibility should be embedded into the wording of Policy H2 to ensure that the intention of Policy S2 is achieved; the housing target of at least 10,350 dwellings across the plan period (Policy H1) is met; and the land identified for development is most effectively used.

3.28 Therefore, it is suggested that Policy H2 includes the wording "at least" before the quantum of development for any strategic location or allocation. For example, Policy A13 would instead state "at least".

#### Policy H8 Specialist accommodation for older people and those with specialised needs

3.29 National Planning Practice Guidance for Housing for Older and Disabled People states how plan-making authorities

should set clear policies to address the housing needs for groups with particular needs such as older and disabled people.

3.30 The Housing and Economic Development Needs Assessment (HEDNA) (April 2022) assesses the period between 2021-2039 for older people and those with a disability.

3.31 This concludes that there will be a 42% increase in the population above 65 years old, amounting to 67% of the total population growth.

3.32 The HEDNA sets out how the East-West Corridor has a higher percentage of over 65 year olds (24.7%) compared to both Chichester City (24.2%) and the Plan Area North area (23.4%).

3.33 The needs arising from this, amounts to between 2,131 and 2,872 additional dwellings with support or care, and a need for 429-800 additional nursing and residential care bedspaces. This equates to approximately 17-24% of all homes needing to be some form of specialist accommodation for older people.

3.34 In this context, the HEDNA makes an important recommendation that the Council allocate specific sites for housing with care to ensure the identified needs are met. In contrast Policy H8 is a criteria based policy that seeks specialist accommodation for older people on housing sites over 200 units based on evidence of local need.

3.35 As written, there is no confirmation on the quantum of specialist accommodation that this policy or other site allocations will secure and how the specific need for each application is calculated. Policy H8 fails to address the identified overall need clearly, as required by National guidance. Therefore, it is recommended the Local Plan allocates sites to deliver this type of accommodation as intended by the HEDNA.

3.36 This approach risks the land on these sites being unable to deliver both the expected market/affordable housing and the specialist accommodation on site.

3.37 The land under Hallam's control would be a suitable site for this type of accommodation, which is situated along the east-west corridor in a sustainable location on the edge of Southbourne.

#### 4 Southbourne

4.1 Southbourne is a key area in the District, in terms of existing development, its status as a Settlement Hub and its potential to accommodate future development.

##### Role of Southbourne

4.2 Southbourne is identified as a Settlement Hub within Policy S2.

4.3 Southbourne is located within the east-west corridor with a range of existing facilities, good transport links, and employment opportunities both to the east and the west.

4.4 As set out in the Submission Plan, Southbourne has good access to educational facilities serving the residents, including primary schools, junior schools and secondary schools. There are a number of convenience stores and other community services and facilities such as a GP practice, pharmacy and places of worship.

4.5 The Bourne Community Leisure Centre provides local residents with access to community sports facilities. Access to public open space is also good through connections to Southbourne Recreation Ground. There is potential for more open space to be provided for local residents within the Local Plan Review and the strategic allocation proposed and this approach is embedded within our own Vision Document.

4.6 A key focus of the Sustainability Appraisal and the Submission Plan is for schemes to promote a modal shift in transportation. The strong public transport links within Southbourne to the wider surrounding area allows access to employment opportunities within the east-west corridor. Southbourne has strong public transport connections to the local and wider area, through bus and train services, to areas including: Chichester, Portsmouth, Havant, Littlehampton, Brighton, Southampton and London.

4.7 For these reasons, Southbourne is rightly designated as a Settlement Hub and is eminently suitable to serve as a BLD.

4.8 The Southbourne Level Crossing Report May 2021 analyses the options for delivering the railway crossing at Southbourne. It concludes that circa 750 dwellings can be delivered north of the railway line before triggering the requirement for a new crossing. The report highlights how sites south of the rail line are not likely to impact on the level crossing and can therefore be delivered earlier than await the railway line improvements.

4.9 Therefore, in this context it would be appropriate to allocate small and medium scale sites to the south of the railway, which is less constrained by the capacity restriction on the railway crossing.

4.10 The land under Hallam's control is to the south of the railway line, would help facilitate a future new railway crossing to the north of the site, and would be of a medium scale to deliver housing early in the period plan.

## Strategic Allocation A13

4.11 The Key Diagram appears to suggest that new development is to be located to the west and east of Southbourne, remedying the previously unsuccessful approach of focusing development only to the east. Similarly, the Key Diagram acknowledges the need for development to the south of the railway line, facilitating development north of the railway line. It is recommended the wording of the policy should be updated to reflect this diagram, as suggested below:

Provision will be made for a mixed use development within the broad location for development to the west and east of Southbourne, as shown on the Key Diagram.

4.12 Previously, the Preferred Approach consultation document set out at Policy AL13 a minimum of 1,250 dwellings at Southbourne and to be identified in the revised Southborne Neighbourhood Plan. (emphasis added)

4.13 The Submission Plan now allocates Policy A13 for 1,050 dwellings and will be established through the making of allocation(s) in the future Site Allocation DPD or the revised Southbourne NP. This strategic allocation is to act as a mixed use extension to the existing settlement.

4.14 It is acknowledged that the land north of Cooks Lane (Application number: 22/00157/REM) received Reserved Matters approval in August 2022 for 199 dwellings, with the reduction in quantum of development for the BLD reflecting this committed development. A practical effect of this is that this consent will not contribute to the wider infrastructure requirements associated with a larger scale of development.

4.15 It is disappointing to see the phrase "a minimum of" has been removed. This conflicts with the flexibility set out earlier in the consultation document, and also reduces the potential of making effective use of the land for housing that will assist in meeting the overall need of the District.

4.16 Policy A13 prescribes a number of requirements that must be met (criterion 1 – 16). These are considerations that reflect principles of place making and sustainable development and provide a sound framework for the preparation of the allocation through either mechanism.

4.17 One of these requirements states that future development "Provide[s] any required mitigation to ensure there is no adverse impact on the safety of existing or planned railway crossings." The existing Southbourne Neighbourhood Plan, at Objective 9, outlines the issues relating to the railway crossing and the plans for addressing this challenge in the future.

4.18 Related to this is the need for the provision of "suitable means of access to the site(s), securing necessary off-site improvements (including highways) ... to promote sustainable transport options."

4.19 The combination of the requirements relating to the railway crossing and the provision of a suitable means of access show the importance of accessibility to the A27, A259 and the east-west railway line, which are the principal public transport corridors for Southbourne.

4.20 Development will be well connected to Southbourne via footway and cycle connections to the east and offers the opportunity to help realise the construction of a new strategic road and bridge link over the West Coastway Rail Line through provision of land and proportionate contributions to this scheme.

4.21 Criteria 13 ensures there will be sufficient capacity within the relevant wastewater infrastructure before the delivery of development, which addresses (for Southbourne) the identified constraints for the District in relation to housing delivery.

4.22 The remaining requirements of Policy A13 cover the quality and range of development, the provision of education, community and transport facilities, provision of public open space and green infrastructure, and the impact of development on the landscape. These are each appropriate considerations for the Site Allocations DPD.

4.23 Having regard to the above, the allocation of 1,050 dwellings for Southbourne is, in part, appropriate.

4.24 However, this policy should allow for the delivery of small or medium scale parcels of land, in accordance with the NPPF at an early stage of delivery of the wider allocation to enable prompt and timely housing at Southbourne whilst infrastructure upgrades are commenced. The Local Plan should identify and allocate these smaller scale sites to ensure these can come forward early in the plan period.

4.25 A new criteria is proposed to be included in the wording of Policy A13, stating:

(17) To identify land for early delivery on small to medium scale sites which are not constrained by the need for a new railway crossing.

4.26 Therefore, the principle of a strategic allocation for mixed use housing is considered appropriate but amendments should be made to the wording of the policy to reflect the approach to flexibility, the inclusion of small and medium scale sites, and the dispersion of development to both the west and east of Southbourne.

Southbourne Neighbourhood Plan

4.27 As set out in the paragraph 10.56 of the Submission Plan, development phasing is a key issue to address through the allocation of development sites for this BLD.

4.28 Paragraph 70 of the NPPF states that "Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites suitable for housing in their area." Southbourne Parish Council should be aware of this when allocating the strategic sites, to ensure that there are a mix of housing sites, that could come forward sooner than the principal element of the larger strategic site.

4.29 Through the preparation of the Neighbourhood Plan, the Parish Council should take into account the allocation of smaller sites, which could come forward as part of and alongside the larger strategic site. This will ensure that there is not a delay in the provision of housing within Southbourne and the plan area.

4.30 As set out previously, the most suitable mechanism for progressing the Southbourne BLD would be the Site Allocation DPD. Whether the sites are allocated through the Site Allocations DPD or the NP, there is a requirement to identify small and medium scale site.

Land to the north of Gosden Green

4.31 The land under Hallam's control to the north of Gosden Green, should either be allocated in the Local Plan as a medium scale site or should be a key component of the BLD. The site can deliver both market/affordable residential units and specialist elderly accommodation. The site will create flexibility in achieving the housing requirement of the plan area early on in the plan period.

4.32 The accompanying Vision Document demonstrates how as an early development parcel for the wider BLD, a series of key benefits in accordance with the 13 criteria of Policy A13 will be achieved.

4.33 The Proposed Submission Plan at Policy H8 identifies the need for specialist accommodation for older people and those with specialist needs. Although not set out in the Vision Document, this site can deliver, early in the plan period, much needed specialist elderly accommodation.

4.34 Figure 3 of the Vision Document presents the scheme's ability to connect into a wider masterplan for the strategic development, as it comes forward in the future. However, at the same time has the ability to come forward at an earlier rate being physically unconstrained and a well contained parcel of land.

4.35 Figure 9 provides context on connectivity, and the modal shift this scheme aims to achieve. The ability to walk to a range of services and facilities, including the train station further demonstrates the ability for the early delivery of this parcel of the BLD.

4.36 The impact of the highways network has been assessed for both a full residential scheme and specialist elderly housing, highlighting how the residential scheme will introduce approximately 55 new vehicles to the network at peak times, resulting in less than 1 car per minute in the peak hour. Either scheme will have a negligible impact on the highway network and would have a negligible impact on A27.

4.37 The site is to the south of the railway line, as previously mentioned, and would be unconstrained by the capacity constraint of the existing railway crossing.

4.38 For these reasons, the land under Hallam's control should be allocated within the Local Plan.

## 5 Conclusion

5.1 These representations are submitted on behalf of Hallam Land Management Limited.

5.2 In the context of national, local and neighbourhood planning policies, the Local Plan has an important role in providing policies and proposals for residential development to meet future needs.

5.3 The proposed objectively assessed need for housing across the plan area is not agreed, and the Council should review the latest transport evidence which currently do not demonstrate how there are exception circumstances, in accordance with paragraph 62 of the NPPF. The Council should also extend the plan period to ensure it meets the requirements of a minimum of 15 years in the NPPF.

5.4 Consistent with the established strategy to focus development in the District's east-west corridor, the Broad Location for Development to Southbourne as a Settlement Hub is, as a matter of principle, a sound proposition. Importantly the Key Diagram identifies the broad location for this development to the west and east of the settlement.

5.5 As discussed, there should be flexibility embedded into all strategic allocations, in particular those which are Broad Locations for Development through the use of the wording "at least". This will ensure that the "at least" quantum of housing delivery is met and affords flexibility to all housing sites coming forward.

5.6 The responsibility for allocating additional development land to meet this requirement has been given to either the Parish Council through the preparation of a new Neighbourhood Plan or through the Council reviewing the Site Allocations DPD. It is recommended that for the larger strategic allocations and locations the Site Allocations DPD is the more suitable mechanism for identifying land given the need to ensure that proposals are sound.

5.7 Whilst the scale of development proposed is strategic in nature, it is entirely appropriate to consider how different development parcels might contribute towards that and in particular early opportunities that facilitate larger scale development later in the plan period.

5.8 To this end, land to the west of Southbourne and south of the railway line could be allocated as the first phase of the strategic site allocation, as a medium size site, so that this southern section of the new link road is built to enable access to land to the north. This will reduce the pressure placed on the centre of Southbourne, the highway capacity on the A27, and the existing railway crossing.

5.9 By allocating small to medium scale sites in the Local Plan, this will bring forward development at a quicker pace and ensure that the objectively assessed needs for housing across the plan area are met each year. These can be delivered without prejudice to the larger strategic allocations and locations.

5.10 Currently, the Submission Plan fails to address the increasing need for specialist accommodation, with Policy H8 failing to secure specific delivery of such housing, instead moving this matter into major development schemes with no mechanism for assessing need at that stage. It is recommended that the Local Plan allocates sites for specialist accommodation.

5.11 Hallam control land to the west of Southbourne, which adjoins the land at Gosden Green which has already been built. The land controlled by Hallam could be: allocated as a medium scale site within the Local Plan; included as part of the western strategic allocation of Broad Location for Development at Southbourne; or could be allocated for specialist elderly accommodation, ensuring land is readily available for development early in the plan period to address identified needs.

5.12 This would be consistent with the development strategy for the Plan and positively contribute towards meeting future development needs of the plan area.

5.13 These representations have demonstrated that in part the Submission Plan has been positively prepared and justified, however the key recommendations in these Representations should be followed to ensure the plan preparation accords with Paragraph 35 of the NPPF.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sgn>

Vision Document - <https://chichester.oc2.uk/a/sgy>

**Support**

**Document Element:** Strategic Objectives, 2.54

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT supports the inclusion of Objective 1: Climate change, and Objective 2: Natural Environment. Since the 2018 preferred options consultation we have seen the royal assent of the Environment Act 2021, which supports nature's recovery. Recognising the role that this plan and its policies can play in restoring the natural environment is fundamental for sustainable development, as per National Planning Policy Guidance ( NPPG) Paragraph: 003 Reference ID: 6-003-20140612

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

**Support**

**Document Element:** Strategic Objectives, 2.54



**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Support.] We support:

- Objective 1 (Climate change) (para 2.54). This objective helps to support National Highways Net Zero objectives.
- Objective 4: (Employment and economy). This objective may help to reduce the need to travel long distances, increase community self-containment and support short walking and cycling trips
- Objective 7: (Strategic Infrastructure). This objective will help to reduce demand and reliance on the A27 especially in peak periods.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?

- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
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    - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

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It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
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- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings
- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31

March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

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**Document Element:** Strategic Objectives, 2.54

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

It would be helpful if the plan (in its conclusion) demonstrates through cross-referencing to policies and proposals, how each of the objectives is being met and how each will be protected and enhanced, through the plan's policies and proposals.

**Full text:**

The objectives listed are supported but economic vitality should also be included.

**Change suggested by respondent:**

It would be helpful if the plan (in its conclusion) demonstrates through cross-referencing to policies and proposals, how each of the objectives is being met and how each will be protected and enhanced, through the plan's policies and proposals.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Letter to Council Goodwood - <https://chichester.oc2.uk/a/t8g>

## Object

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**Document Element:** Strategic Objectives, 2.54

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

The Objectives only mention Water Neutrality in passing and it comes across as an 'add on' or 'afterthought' by CDC despite it being a very important issue for the Local Plan. There is no mention of the Sussex North Water Resource Zone or the Arun Valley SPA / SAC.

**Full text:**

See attachment.

**Change suggested by respondent:**

Suggest new Objective on topic of Water Neutrality is created and Objective is made measurable so that it is an effective Objective. The Objective should as a minimum first seek to restrict growth in the Sussex North Water Resource Zone (WRZ) and where development must take place then there will be a need to reduce water demand through clearly set and agreed targets for water usage across the WRZ and its offsetting as set out in the Water Neutrality Study: Part C – Mitigation Strategy (November 2022).

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Support

**Document Element:** Objective 1: Climate Change

**Respondent:** Mr James Jewell [6721]

**Summary:**

Support in principle.

**Full text:**

Whilst supporting the objectives other policies are not consistent. Without commuting bus services villagers in Loxwood need cars and there is no realistic prospect of such bus services unless specific budgetary provision is planned for them. Building standards need to be enhanced to require solar power, ground source heating, surface water and sewerage flow retardation so developers will take account of these costs before buying land at current prices.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Objective 1: Climate Change

**Respondent:** Mr James Jewell [6721]

**Summary:**

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**Full text:**

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**Change suggested by respondent:**

Building standards need to be enhanced to require solar power, ground source heating, surface water and sewerage flow retardation so developers will take account of these costs before buying land at current prices.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Objective 1: Climate Change

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

New development is not being directed away from areas where car use would be most prevalent. 2000 homes are planned west of Chichester from Fishbourne to Southbourne. This will not reduce reliance on cars. There are no plans for upgrading or helping to mitigate the pressure on the A259 feeding into the A27.

**Full text:**

New development is not being directed away from areas where car use would be most prevalent. 2000 homes are planned west of Chichester from Fishbourne to Southbourne. This will not reduce reliance on cars. There are no plans for upgrading or helping to mitigate the pressure on the A259 feeding into the A27.

**Change suggested by respondent:**

Direct development away from areas where there is reliance on cars in favour of more housing in the city on brownfield sites

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Objective 1: Climate Change

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

We absolutely support this aspiration; however by default the Plan fails to deliver this in any meaningful way. The levels of housing development proposed are incompatible with the aspirations outlined.

**Full text:**

We absolutely support this aspiration; however by default the Plan fails to deliver this in any meaningful way. The levels of housing development proposed are incompatible with the aspirations outlined. The south of the district occupies low-lying coastal plain, which is highly vulnerable to coastal change and sea level rise. Ground water levels are high, leading to frequent flooding. Conversely, the region also suffers from water scarcity issues due to climate change. As a matter of course, most new developments in the area are highly car-reliant, as the public transport and cycling infrastructure is not able to provide a viable alternative.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqg>

## Object

**Document Element:** Objective 1: Climate Change

**Respondent:** Lynn Reel [8121]

**Summary:**

Support SOSCA's objection - New developments on the Manhood Peninsula are creating flooding where none existed prior to their build. This is in complete defiance of the government's NPPF decree that new development should not increase flood risk elsewhere.

**Full text:**

Supports SOSCA's Submission as attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/sfy>

## Object

**Document Element:** Objective 1: Climate Change

**Respondent:** Mr Colin Mckenna [7790]

**Summary:**

While the Plan recognises climate change there is no forecast scenario of what climate the Plan is designed to cater for either in 2039 or any intervening years.

**Full text:**

While the Plan recognises climate change there is no forecast scenario of what climate the Plan is designed to cater for either in 2039 or any intervening years.

**Change suggested by respondent:**

The Plan should be revised to forecast how climate change may alter land use planning requirements over the period of the plan and demonstrate how the Plan is sufficiently flexible to the changes which will occur albeit the timing of these changes are uncertain. As an example it is clear that some existing areas of housing in the Manhood Peninsular are very vulnerable to flooding due to storm surges. Climate change will bring an increasing risk of such events and some housing areas should be identified in the Plan for such displacement to take place

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Objective 1: Climate Change

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Support.] - Objective 1 (Climate change) (para 2.54) "new development will be in accessible locations, designed to reduce reliance on the private car with convenient walking and cycling routes and public transport to access local facilities and open spaces".

This objective helps to supports National Highways Net Zero objectives

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):



- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
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At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Objective 1: Climate Change

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

In villages along the A259 the high level of housing will not reduce the use of private cars. Facilities for everyday needs are not within a reasonable distance to walk, cycling is hampered by lack of cycle routes and public transport is neither frequent, regular or affordable. Walking and cycling are not safe.

**Full text:**

In villages along the A259 the high level of housing will not reduce the use of private cars. Facilities for everyday needs are not within a reasonable distance to walk, cycling is hampered by lack of cycle routes and public transport is neither frequent, regular or affordable. Walking and cycling are not safe.

**Change suggested by respondent:**

Reduce the housing allocation along the A259 corridor

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Objective 1: Climate Change

**Respondent:** Landlink Estates Ltd [1764]

**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]

**Summary:**

■ The objective does not include any mention of the requirement for renewable energy development.

**Full text:**

■ See attachments.

**Change suggested by respondent:**

■ -

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sjr>

1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>

3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>

Email Trail - <https://chichester.oc2.uk/a/sj3>

2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>

4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>

5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>

6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>

6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>

8. Archeological DBA - <https://chichester.oc2.uk/a/sj9>

12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>

13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>

13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>

13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>

14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>

7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>

11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>

9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>

10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>

Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>

Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>

## Object

**Document Element:** Objective 1: Climate Change

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

New development in accessible locations is supported but the definition of accessibility should be examined in detail and explained through the plan, with reference to development locations.

Convenient walking and cycling routes and availability of public transport should be more than a measurable distance, to include an assessment of the practicality and suitability of the routes as an alternative to use of the private car.

**Full text:**

New development in accessible locations is supported but the definition of accessibility should be examined in detail and explained through the plan, with reference to development locations.

Convenient walking and cycling routes and availability of public transport should be more than a measurable distance, to include an assessment of the practicality and suitability of the routes as an alternative to use of the private car.

**Change suggested by respondent:**

A requirement for developers to present demonstrable evidence as to the practicality and suitability of the routes and modes of transport to and from their site as an alternative to use of the private car.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Objective 1: Climate Change

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

This is a laudable and very desirable objective and one that is to be expected given that CDC has declared a Climate Emergency. However it is disappointing that , as described elsewhere in the Local Plan, the proposals do not intend to impose environmental and sustainability requirements over what will be mandated in Building Regulations. The current proposals will result in a lost opportunity, a view that is acknowledged with the Sustainability Assessment (section 9.6)

**Full text:**

This is a laudable and very desirable objective and one that is to be expected given that CDC has declared a Climate Emergency. However it is disappointing that , as described elsewhere in the Local Plan, the proposals do not intend to impose environmental and sustainability requirements over what will be mandated in Building Regulations. The current proposals will result in a lost opportunity, a view that is acknowledged with the Sustainability Assessment (section 9.6)

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Objective 1: Climate Change

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

The Local Plan is not positively prepared as it does not take the opportunities to fully align economic policy with environmental policy. This could be achieved by facilitating functional development within HDAs.

**Full text:**

The Council's declaration of a climate emergency is welcomed, however there is an opportunity to better align this the Council's economic strategy within the Local Plan.

Supporting the growth of the horticultural industry to include functionally associated uses, such as food processing/production and increased storage and distribution capabilities, would allow for greater food production on site. This in turn would allow for greater home grown food production and export to the rest of the UK. Accordingly, there would be a reduction in food miles as home-grown food consumption would increase. This would lead to a reduction in greenhouse gas emissions.

A wording of the HDA policy that facilitated the colocation of functionally linked elements of the food cluster would reduce the greenhouse gas emissions associated with the industry through reduce vehicular trip generation – Refer to Savills SREBR para 4.4.2 – effective storage and distribution hub at Runcton HDA would achieve reduction in food miles by 84000 per annum

**Change suggested by respondent:**

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/scw>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/swv>

## Object

**Document Element:** Objective 1: Climate Change

**Respondent:** Save our South Coast Alliance (Libby Alexander) [7648]

**Summary:**

In reference to the potential for future sea level rise and erosion will be fully considered' –

New developments on the Manhood Peninsula are creating flooding where none existed prior to their build. This is in complete defiance of the government's NPPF decree that new development should not increase flood risk elsewhere.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Local Plan - Submission to CDC - <https://chichester.oc2.uk/a/sph>

## Support

**Document Element:** Objective 1: Climate Change

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

This is the most important and critical objective and needs to be used to change the mindset from a need for transport with development “designed to reduce reliance on the private car” to “New development will be in accessible locations with local access at the core of the design linked by high quality active travel walking and cycle routes that also links to bus stops and railway stations where access required that cannot be provided locally”

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Objective 1: Climate Change

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Object on grounds that cannot be achieved by consciously locating development in rural inaccessible locations with no local facilities (Kirdford).

**Full text:**

See attachment.

**Change suggested by respondent:**

Provide measurable outcomes in line with Climate Emergency Action Plan

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>



## Support

**Document Element:** Objective 2: Natural Environment

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

We support these ambitions. However in reality it is unlikely that the proposed plan will be able to deliver these aspirations.

**Full text:**

We support these ambitions. However in reality it is unlikely that the proposed plan will be able to deliver these aspirations. The volume of housing proposed between Chichester and Emsworth (3,225), especially when combined with Havant Borough Council's strategic site at Southleigh (2,100 homes) will lead to an unprecedented level of development pressure on the AONB, SSSI/SPA designated site at Chichester Harbour. Inevitably the repercussions for waste water treatment (already at full capacity and storm discharging regularly) and additional recreational disturbance will further compound the challenges affecting the protected site, meaning that it is unable to recover from the current "Unfavourable Declining" condition assessment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqh>

## Object

**Document Element:** Objective 2: Natural Environment

**Respondent:** Lynn Reel [8121]

**Summary:**

Support SOSCA's objection on grounds that harbour waters are contaminated; threats to biodiversity.

**Full text:**

Supports SOSCA's Submission as attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/sfy>

## Support

**Document Element:** Objective 2: Natural Environment

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

The reference to achieving net gains in tree cover is welcome. Policies in the Plan need to be in place to secure this objective.

**Full text:**

The reference to achieving net gains in tree cover is welcome. Policies in the Plan need to be in place to secure this objective.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Objective 2: Natural Environment

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

Support in principle.

**Full text:**

The explanatory text is all about the low-lying land. The Council suggest that this text needs to reflect the whole objective and refer to 'landscape character'. Ideally this should be first, as it is the landscape character (geology, soils etc.) that underpins the important natural environment and designated sites being referenced.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Objective 2: Natural Environment

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

We are pleased to see the South Downs National Park reference alongside the Chichester Harbour AONB in the 'Issues and opportunities facing the plan area' section. We note that the strategic objectives of the Plan do not address the National Park designation.

**Full text:**

See attached representation.

**Change suggested by respondent:**

We suggest that Strategic Objective 2 (Natural Environment) be amended to include conserving and enhancing the South Downs National Park and its setting to reflect the duty of regard in Section 62 of the Environment Act 1995 and Paragraph 176 of the NPPF.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Object

**Document Element:** Objective 2: Natural Environment

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Location of high levels of housing close to Chichester Harbour will not protect it from further damage and decline. In fact it will speed up the decline.

**Full text:**

Location of high levels of housing close to Chichester Harbour will not protect it from further damage and decline. In fact it will speed up the decline.

**Change suggested by respondent:**

Reduce the overall number of housing from 10,350 to protect the designated sites.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Objective 2: Natural Environment

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – WGPC supports this approach but questions how it could be applied to Wisborough Green. Wisborough Green is a rural village, surrounded by designated sites rich in biodiversity. Building on greenfield sites in this location will not achieve gains, net or otherwise.

**Full text:**

Support – WGPC supports this approach but questions how it could be applied to Wisborough Green. Wisborough Green is a rural village, surrounded by designated sites rich in biodiversity. Building on greenfield sites in this location will not achieve gains, net or otherwise.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Objective 2: Natural Environment

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The plan should identify key areas where these benefits will be sought. The objective should go beyond wildlife corridors.

**Full text:**

The plan should identify key areas where these benefits will be sought. The objective should go beyond wildlife corridors.

**Change suggested by respondent:**

Areas, important in landscape terms (including importance to and separating adjoining developed areas) or those suitable for woodland and nature recovery should be identified and protected from inappropriate development through policies and proposals of the Plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Support Letter 10 1 23 - <https://chichester.oc2.uk/a/sq6>

## Support

**Document Element:** Objective 2: Natural Environment

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Strongly support

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

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## Object

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**Document Element:** Objective 2: Natural Environment

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

The explanatory text is all about the low-lying land. The Council suggest that this text needs to reflect the whole objective and refer to 'landscape character'. Ideally this should be first, as it is the landscape character (geology, soils etc.) that underpins the important natural environment and designated sites being referenced.

**Full text:**

The explanatory text is all about the low-lying land. The Council suggest that this text needs to reflect the whole objective and refer to 'landscape character'. Ideally this should be first, as it is the landscape character (geology, soils etc.) that underpins the important natural environment and designated sites being referenced.

**Change suggested by respondent:**

Include reference to landscape character.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

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## Object

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**Document Element:** Objective 2: Natural Environment

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England maintains its advice, provided both as part of the Regulation 18 statutory consultation in 2019 and through subsequent, non-statutory consultations during 2021 and 2022. This has still not been addressed in the following areas [changes to plan refer]

**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and

Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

Natural England advise the addition of "and where relevant will be water neutral" to the final sentence in this objective in order to provide context for the inclusion of Policies NE16 and NE17.

Natural England advise the inclusion of the phrase "SuDS will be incorporated to manage run-off" at the end of this objective although we acknowledge and support its inclusion in Chapter 4 Policy NE15.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Objective 2: Natural Environment

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Objective needs to be clear that there are more designated sites than those listed - should include Ebernoe SAC and The Mens SAC. Inclusion of 'landscape character' at end reads as an afterthought, ineffective. Quantum of biodiversity net gains Plan is seeking to achieve should be set out here - query how protection and enhancement of natural environment, nature recovery, tree cover can be measured?

**Full text:**

See attachment.

**Change suggested by respondent:**

Given the importance of landscape in the District and its location within the setting of the South Downs National Park, request new objective on Landscape is included in Local Plan.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Support

**Document Element:** Objective 3: Housing

**Respondent:** Mr Jan Davis [7907]

**Summary:**

Support in principle.

**Full text:**

Housing design in order to consider climate change, will have to satisfy the mandatory from 2025 low carbon energy and water efficient Net Zero Future Homes Standards FHS or better with electrical heating/heat pumps and Electrical Vehicle charging facilities.

Good low energy housing design should include either community or individual PV power generation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Objective 3: Housing

**Respondent:** Mrs Nina Davies [7869]

**Summary:**

Just stop

**Full text:**

Just stop

**Change suggested by respondent:**

Stop second homes....They are killing all the villages and Chichester.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

---

**Document Element:** Objective 3: Housing

**Respondent:** Mr Jan Davis [7907]

**Summary:**

Housing design in order to consider climate change, will have to satisfy the mandatory standards from 2025 low carbon energy and water efficient Net Zero Future Homes Standards FHS or better with electrical heating/heat pumps and Electrical Vehicle charging facilities.

**Full text:**

Housing design in order to consider climate change, will have to satisfy the mandatory from 2025 low carbon energy and water efficient Net Zero Future Homes Standards FHS or better with electrical heating/heat pumps and Electrical Vehicle charging facilities.

Good low energy housing design should include either community or individual PV power generation.

**Change suggested by respondent:**

Good low energy housing design should include either community or individual PV power generation.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Objective 3: Housing

**Respondent:** Lynn Reel [8121]

**Summary:**

Support SOSCA's objection on grounds that there is a lack of affordable housing; development on greenfield land should be refused.

**Full text:**

Supports SOSCA's Submission as attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/sfy>

## Support

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**Document Element:** Objective 3: Housing

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support

**Full text:**

Support

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

---

**Document Element:** Objective 3: Housing

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

Support in principle

**Full text:**

The objective requires clear requirements to ensure that good design that respects the land and heritage of CDC is understood in the subsequent master-planning and detailed design and build. CDC has declared a Climate Emergency and it should set requirements over those stated in Building Regulations; this lack of ambition is acknowledged in the Sustainability Appraisal section 9.6.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Objective 3: Housing

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The Plan must be prepared to take on the bland and monotonous approach of volume house builders, claiming high design qualities, sustainable standards and accessible neighbourhoods. It does not do so.

**Full text:**

The Plan must be prepared to take on the bland and monotonous approach of volume house builders, claiming high design qualities, sustainable standards and accessible neighbourhoods. It does not do so.

**Change suggested by respondent:**

The Plan must require minimum standards and evidence of compliance with local objectives, set out clearly and enforceable through the Plan. Preference must be given to smaller developers providing quality housing to local, rather than generic, demand. The plan must have strong policies for areas not suited to housing development to minimise the risk of speculative development.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None



## Support

**Document Element:** Objective 3: Housing

**Respondent:** Merrow Wood [8213]

**Agent:** Intelligent Land (Mr Simon Trueick) [8009]

**Summary:**

This objective is supported. Merrow Wood consider that it is essential that new housing growth is focussed on sustainable locations which reduce the need to travel and/or offer opportunity to make sustainable travel choices.

**Full text:**

Intelligent Land is instructed by Merrow Wood, who have been selected by the landowner to help promote the site for development, to submit representations on the Chichester Local Plan Review, Submission consultation, relating to land at Prospect Farm, Cutmill View near Bosham.

Merrow Wood very much welcomes the renewed progress toward adoption of the Chichester Local Plan Review. The long delay to the plan preparation for the last 3 years has created uncertainty in the District and has, inevitably, lead to "planning by appeal" with development coming forward not in accordance with the existing local plan development strategy.

This objective is supported. Merrow Wood consider that it is essential that new housing growth is focussed on sustainable locations which reduce the need to travel and/or offer opportunity to make sustainable travel choices.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Objective 3: Housing

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Support in principle.

**Full text:**

In light of the housing crisis and the continued decreasing affordability of housing in the country as a whole and particularly within Chichester District, it is important that housing continues to be delivered in sustainable locations. The latest data release from 2021 on housing affordability shows that on average within Chichester District house prices are 14.61 times median earnings. This compares unfavorably with the West Sussex County average of 12.07 and the national average of 9.1. Chichester District remains one of the least affordable places to buy a home in the country. Furthermore, the Plan does not intend to meet the Objectively Assessed Need for housing in the district.

Whilst recognizing that the Local Plan Objectives and Vision do reference Housing, it is considered that the importance of housing delivery, and its relationship to affordability, should be made more explicit with reference to the housing crisis and the acute affordability issues in the district. The vision and objectives should also explicitly recognize the important part housing delivery plays in meeting the economic, social and environmental objectives of the NPPF.

Furthermore, it is all the more important that policies enable, rather than potentially hinder, continued delivery of new homes as far as possible, particularly on sustainable allocated sites, such as the West of Chichester. Vistry and Miller are already delivering housing on site contributing to Chichester's housing needs.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Objective 3: Housing

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Whilst recognizing that the Local Plan Objectives and Vision do reference Housing, it is considered that the importance of housing delivery, and its relationship to affordability, should be made more explicit with reference to the housing crisis and the acute affordability issues in the district. The vision and objectives should also explicitly recognize the important part housing delivery plays in meeting the economic, social and environmental objectives of the NPPF.

**Full text:**

In light of the housing crisis and the continued decreasing affordability of housing in the country as a whole and particularly within Chichester District, it is important that housing continues to be delivered in sustainable locations. The latest data release from 2021 on housing affordability shows that on average within Chichester District house prices are 14.61 times median earnings. This compares unfavorably with the West Sussex County average of 12.07 and the national average of 9.1. Chichester District remains one of the least affordable places to buy a home in the country. Furthermore, the Plan does not intend to meet the Objectively Assessed Need for housing in the district.

Whilst recognizing that the Local Plan Objectives and Vision do reference Housing, it is considered that the importance of housing delivery, and its relationship to affordability, should be made more explicit with reference to the housing crisis and the acute affordability issues in the district. The vision and objectives should also explicitly recognize the important part housing delivery plays in meeting the economic, social and environmental objectives of the NPPF.

Furthermore, it is all the more important that policies enable, rather than potentially hinder, continued delivery of new homes as far as possible, particularly on sustainable allocated sites, such as the West of Chichester. Vistry and Miller are already delivering housing on site contributing to Chichester's housing needs.

**Change suggested by respondent:**

The importance of housing delivery, and its relationship to affordability, should be made more explicit with reference to the housing crisis and the acute affordability issues in the district. The vision and objectives should also explicitly recognize the important part housing delivery plays in meeting the economic, social and environmental objectives of the NPPF.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Objective 3: Housing

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

The objective requires clear requirements to ensure that good design that respects the land and heritage of CDC is understood in the subsequent master-planning and detailed design and build. CDC has declared a Climate Emergency and it should set requirements over those stated in Building Regulations; this lack of ambition is acknowledged in the Sustainability Appraisal section 9.6.

**Full text:**

The objective requires clear requirements to ensure that good design that respects the land and heritage of CDC is understood in the subsequent master-planning and detailed design and build. CDC has declared a Climate Emergency and it should set requirements over those stated in Building Regulations; this lack of ambition is acknowledged in the Sustainability Appraisal section 9.6.

**Change suggested by respondent:**

Plan should set requirements over those stated in Building Regulations

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Objective 3: Housing

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Strongly support

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Objective 3: Housing

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

This Objective which states that housing should be located in 'accessible neighbourhoods' cannot be met in rural locations such as Kirdford. This objective clearly cannot be achieved by the Local Plan allocating 50 dwellings to Kirdford. The Housing Objective includes no mention of the amount of housing it is seeking to deliver, what tenure, what location and when. This should be clearly set out. The inclusion of a section on Design in this section makes it unclear and confusing compared with Objective 6 (Design and Heritage – Ensuring Beautiful Places).

**Full text:**

See attachment.

**Change suggested by respondent:**

Objective 3 should include a statement about the Accessibility Standards and Space Standards of housing, but it does not currently mention either.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

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**Document Element:** Objective 3: Housing

**Respondent:** Save our South Coast Alliance (Libby Alexander) [7648]

**Summary:**

The average price of a home in Chichester according to Rightmove is £437,828. This is unachievable for the young who having been brought up in the area and wish to earn and remain. It will result in an exodus of young aspiring professionals.

There is no indication that any of these houses being built have efficient energy systems incorporated such as solar panels or charging points for electric cars.

According to Local Government Inform there are approximately 2,405 people on the waiting list for affordable homes in the Chichester area. It is therefore possible to conjecture that the developments awarded planning permission are not fulfilling their 'affordability' quota. (Only sites of 10 homes or fewer are exempt from providing affordable homes.)

**Full text:**

See attached representation.

**Change suggested by respondent:**

All planning applications that allow development on green agricultural land should be refused. All developers should be forced to build out on their land banks. All new housing should be forced to seek out brown field sites.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Local Plan - Submission to CDC - <https://chichester.oc2.uk/a/sph>

## Object

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**Document Element:** Objective 4: Employment and Economy

**Respondent:** Mrs Victoria Douglas [7725]

**Summary:**

Lack of soundness. No reference has been made to marine leisure/recreation industry, which is a key sector in Chichester Harbour with a positive contribution to other strategic objectives of the plan

**Full text:**

Lack of soundness. No reference has been made to marine leisure/recreation industry, which is a key sector in Chichester Harbour with a positive contribution to other strategic objectives of the plan

**Change suggested by respondent:**

Please include specific reference to marine recreation industry

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Document Element:** Objective 4: Employment and Economy

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Within the plan are policies or supporting information deficient on key matters affecting the economic sustainability of the district. The plan fails to recognise the full extent of the important roles of Goodwood Estate and Rolls-Royce to the District economic vitality.

The plan seeks to accommodate Goodwood needs through its policies but continues to present major challenges threatening Estate sustainability.

The plan should identify and protect economic assets robustly, appropriate provision made or their sustainability and enhancement and clarity that interests will not be impacted adversely by developments on adjoining land, or which adversely affect infrastructure essential to its well-being.

**Full text:**

Within the plan are policies or supporting information deficient on key matters affecting the economic sustainability of the district. The plan fails to recognise the full extent of the important roles of Goodwood Estate and Rolls-Royce to the District economic vitality.

The plan seeks to accommodate Goodwood needs through its policies but continues to present major challenges threatening Estate sustainability.

The plan should identify and protect economic assets robustly, appropriate provision made or their sustainability and enhancement and clarity that interests will not be impacted adversely by developments on adjoining land, or which adversely affect infrastructure essential to its well-being.

**Change suggested by respondent:**

The Estate has shared with the planning authority an independent report prepared by LSE as to the very significant contribution made by Goodwood and Rolls-Royce locally (this report is in the process of being updated and it is understood Rolls-Royce has commissioned a similar study – it is intended such evidence will be available for the local plan examination). The REport and its findings should be reflected in the Plan.

The local plan is a major step forward in terms of protecting the Estate's interests and allowing it to evolve and continue to contribute significantly to the local and regional economy. However, for the plan to be truly sound and provide a true basis for forward investment, we ask that changes are made to the plan as we identify through our representations.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

GOODWOOD Economics Proof 010721.pdf - <https://chichester.oc2.uk/a/s45>

Goodwood Economic Impact Study Report - 11.02.2020.pdf - <https://chichester.oc2.uk/a/s46>

Support Letter 10 01 23 - <https://chichester.oc2.uk/a/sq3>

## Support

**Document Element:** Objective 4: Employment and Economy

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

If young talent is to be retained the City has to provide facilities that young people want in terms of leisure and entertainment. Family friendly facilities to encourage young families to stay. The demographic is of an older age range than average but this should not stand in the way of facilities such as night clubs or other facilities to make Chichester a vibrant 21st century city. With the closure of Air Arena and the threat that Cineworld will close, amenities for families are minimal.in the way of facilities such as night clubs or other facilities to make Chichester a vibrant 21st century city.

**Full text:**

If young talent is to be retained the City has to provide facilities that young people want in terms of leisure and entertainment. Family friendly facilities to encourage young families to stay. The demographic is of an older age range than average but this should not stand in the way of facilities such as night clubs or other facilities to make Chichester a vibrant 21st century city. With the closure of Air Arena and the threat that Cineworld will close, amenities for families are minimal.in the way of facilities such as night clubs or other facilities to make Chichester a vibrant 21st century city.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Objective 4: Employment and Economy

**Respondent:** Lynn Reel [8121]

**Summary:**

Support SOSCA's objection - green field land being destroyed for new development; tourist accommodation demolished and replaced with new developments.

**Full text:**

Supports SOSCA's Submission as attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/sfy>

## Support

**Document Element:** Objective 4: Employment and Economy

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Support.] Objective 4: (Employment and economy) "offering a good range of business and retail to serve local communities and reduce the need to travel". This objective may help to reduce the need to travel long distances, increase community self-containment and support short walking and cycling trips

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex

County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

## Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will

simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department



for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Objective 4: Employment and Economy

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

#### Summary:

Further detailed policy support is required to deliver sustainable growth in sectors such as the hospitality and visitor economy. The plan does not provide an appropriate framework to support the on-going needs and evolution of businesses within that sector, such as The Goodwood Estate, where there is often conflict between policy objectives, e.g. new development and environmental protection, or a failure to recognise the environmental benefits arising from the historic and future activities of the Estate.

In advance of the Plan's publication the Estate wrote to the LPA setting out how it believed the Plan should respond to its specific needs, while protecting the plan's aims and objectives. This letter, dated 10th January 2023 and copy appended, should be read alongside comments made through this consultation response.

#### Full text:

Further detailed policy support is required to deliver sustainable growth in sectors such as the hospitality and visitor economy. The plan does not provide an appropriate framework to support the on-going needs and evolution of businesses within that sector, such as The Goodwood Estate, where there is often conflict between policy objectives, e.g. new development and environmental protection, or a failure to recognise the environmental benefits arising from the historic and future activities of the Estate.

#### Change suggested by respondent:

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/t6h>

## Object

**Document Element:** Objective 4: Employment and Economy

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

The draft plan does not adequately allow for suppressed demand. Consequently the option for HDA associated uses to locate on industrial land is restricted. (Though our analysis concludes that most such uses are best located on the HDAs. Which requires a more flexible approach to functionally linked uses on the HDAs).

**Full text:**

The Council's desire to support the horticultural industry is welcomed, however the mechanism for delivering this growth is fundamentally flawed and bakes in unwarranted constraints to realising the growth and competitiveness of the food production industry. Please refer to attached Savills SREBR.

The current HDA policy is noted by stakeholders within the 2018 HEDNA as a barrier to growth due to the failure to support functionally associated uses. The importance of functionally-associated uses to the cluster is also acknowledged within The Council's evidence base and other key Government and Industry publications.

Accordingly, it is suggested that the Council should pursue a more positive and proactive wording of the HDA policy in order to allow for a greater breadth of functionally linked uses within the Runcton HDA. The proposed wording of the policy does not provide sufficient certainty to investors and businesses (both established within Runcton HDA or looking to locate within it) that The Council will support the functionally associated uses that are necessary to foster and maintain the growth and competitiveness of a world-class food cluster.

The Local Plan therefore conflicts with paragraph 81 of the NPPF in its entirety which states:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation 42, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

**Change suggested by respondent:**

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/scf>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/swb>

## Object

**Document Element:** Objective 4: Employment and Economy

**Respondent:** Save our South Coast Alliance (Libby Alexander) [7648]

**Summary:**

Concerns about the impact of development on coastal plain, agricultural land and local tourism.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Local Plan - Submission to CDC - <https://chichester.oc2.uk/a/sph>

## Support

**Document Element:** Objective 4: Employment and Economy  
**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Strongly support

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Objective 4: Employment and Economy

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1 billion pounds and employs more than 10,000 full time equivalent staff.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

WGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t98>

**Document Element:** Objective 4: Employment and Economy

**Respondent:** Mr Keith Tunstall [7711]

**Summary:**

Plan unrealistic with regards to the economy and ignores the national context.

**Full text:**

My thoughts on the Plan are general and difficult to fit into boxes. So, if I may, I send them as a whole.....

I'm particularly interested in Objective 4. Employment and Economy. Though the Plan talks about "a strong, thriving and diverse economy" and "job opportunities for all skill levels" there is no detail on how we get there, so an air of complacency is engendered as everyone knows these things don't just happen. The Plan says there will be support by allocating "employment sites", but that is all. Suitable sites are only one ingredient for a thriving economy.

Again, asserting that "Chichester city will have a key role as a vibrant sustainable city with a good range of business, leisure and retail uses based on the aims of the Chichester Vision". A Vision is fine, but it needs a detailed Plan of where the money is coming from and who is going to be responsible for delivery, otherwise it sounds like wishful thinking.

Asserting that "Local industries such as horticulture, agriculture, fishing and tourism will flourish" and proclaiming also that "The dynamic local knowledge-based economy will excel in innovation and continue to diversify" sounds overly optimistic when we know there are real challenges ahead. Reference needs to be made to credible plans for future investment and initiative in these areas. As for diversity of jobs, we have some way to go as we are oriented very much towards the public sector. How exactly are we going to boost the private sector? Who is going to be responsible?

For new growth initiatives the Plan is decidedly down-beat with an emphasis on the hurdles to be negotiated before any planning permission is given - ten of them for horticulture for example. We need to give a genuine welcome if we are to succeed in attracting investment.

I could not find any financial data in the Plan and, if there is none, that would make it a most unusual Plan. Talk about the Southern Gateway yet again, for example, must surely be tempered by acknowledgement that there is no money, so it won't happen in the foreseeable future. And, incidentally, bus stops along Avenue de Chartres do not help constitute a sensible public transport hub.

The Local Plan should surely not ignore the national context. The economy as a whole is sluggish so it needs extra effort if Chichester is to buck the trend. High interest rates currently will mean businesses put investment on hold. The recent government announcement that there are going to be special incentives for business in 12 new enterprise zones, makes attracting investment more difficult for those parts of the country, like Chichester, which are outside.

With little money available for new initiatives, more use must be made of volunteers and more emphasis will be needed to nurture businesses which are already in the area. A positive attitude towards business should be proclaimed while obviously preserving the ambience of an attractive city.

Altogether the Plan has an air of unreality about it. It strikes an optimistic note on the economy when it is obvious that the outlook for the foreseeable future is not rosy. That is fine and we must aim to buck the trend, but the Plan needs to recognise that there are a whole host of requirements needed to get a strong diverse economy and provision must be made to put them in place. Simply leaving things to "market forces" does not achieve an optimum result. Chichester is in a competitive environment to attract inward investment and well-paid jobs. We are in a competitive environment to attract visitors and tourists. The Plan should be more specific in itemising the ways we are reacting to the challenges we face.

**Change suggested by respondent:**

The plan should be more specific in itemising the ways in which we are reacting to economic challenges, beyond leaving things to market forces. Reference needs to be made to credible plans for future investment and initiatives beyond allocation of suitable sites. More use must be made of volunteers and more emphasis needed to nurture businesses which are already in the area.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Comment on Local Plan - redacted - <https://chichester.oc2.uk/a/sk6>

## Object

**Document Element:** Objective 4: Employment and Economy

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

This Objective should state the amount of jobs / employment floorspace the Local Plan is seeking to achieve, and it should be much clearer about the objectives for employment in villages and rural areas.

**Full text:**

See attachment.

**Change suggested by respondent:**

State amount of jobs/employment floorspace seeking to achieve. Clarify objectives for employment in villages and rural areas.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Support

**Document Element:** Objective 5: Health and Well-being

**Respondent:** John Newman [8169]

**Summary:**

Objective 5 is so necessary, and should be a sine qua non of any development. That is certainly true of walking and cycling networks, and indeed the new route through Graylingwell is a good example of getting this right. You will know better than me of all the legitimate fuss and water supplies and polluted water. Locally I think that I can see the impact of a significantly expanded local population on my local surgery at Lavant Road.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Objective 5: Health and Well-being

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

10,350 houses with the majority in the East/ West corridor will not improve access to green infrastructure as there will be less of it. The location of most of the housing will increase use of cars which will decrease air quality.

**Full text:**

10,350 houses with the majority in the East/ West corridor will not improve access to green infrastructure as there will be less of it. The location of most of the housing will increase use of cars which will decrease air quality.

**Change suggested by respondent:**

Reduce the number of houses

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Objective 5: Health and Well-being

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The importance of access to open, linked green and blue spaces cannot be underestimated.

The definition of land as Countryside or land located beyond the settlement edge, while offering a level of protection, is an insufficient policy constraint to speculative housing driven justified by local housing demand.

The plan must make appropriate and robust provision for housing need within the material constraints imposed on the District, with those constraints being supported by clear policy.

**Full text:**

The importance of access to open, linked green and blue spaces cannot be underestimated.

The definition of land as Countryside or land located beyond the settlement edge, while offering a level of protection, is an insufficient policy constraint to speculative housing driven justified by local housing demand.

The plan must make appropriate and robust provision for housing need within the material constraints imposed on the District, with those constraints being supported by clear policy.

**Change suggested by respondent:**

The plan should ensure that linked spaces are maintained between allocated sites and or proposed development and existing development. Land which plays an important role in the setting of Chichester, surrounding villages, the National Park and AONB should be so identified in the local plan and policies allocated to ensure their protection and enhancement; similarly important spaces vulnerable to coalescence through development.

The plan must include policies that add an additional layer of protection to important areas, confirming that open countryside and land outside settlement boundaries (particularly that identified as having an additional important function) does not carry with it a presumption in favour of any development; the new local plan being applied as a whole. Suitable land for additional policy protection must be identified by the role it plays to the benefit of the plan as a whole and subjected to a suitable, site specific policy – such as important landscape, landscape gap etc. Any development proposed in such a location would be policy compliant only if it was proven not to remove or prejudice the justification for the land's designation.

The Plan should include a need to protect areas of important countryside, where there is a risk of coalescence or gradual coalescence over time, or where development would erode the provision of open green or blue space to the detriment of the community.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Support Letter 10 1 23 - <https://chichester.oc2.uk/a/sq7>

## Support

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**Document Element:** Objective 5: Health and Well-being

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Strongly Support

Replace "opportunities for active travel" with "with active travel designed into communities"

**Full text:**

See attached.

**Change suggested by respondent:**

Replace "opportunities for active travel" with "with active travel designed into communities"

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

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**Document Element:** Objective 5: Health and Well-being

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

A key aspect of this Objective is improving 'health indicators' and 'life expectancy' yet the Objective does not say what these indicators are or what the goal is for increasing life expectancy. The objective should be much clearer about these.

**Full text:**

See attachment.

**Change suggested by respondent:**

Clarify objective in relation to health indicators.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>



## Support

**Document Element:** Objective 6: Design and Heritage

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Supported.

**Full text:**

Supported – provision of local design codes should be a priority, particularly for sites allocated for development, such that it can be addressed when a site is first promoted or purchased for development.

The plan should clarify its expectations of design quality and ensure that all development responds positively to the National Design Code as a minimum – this could be written into general development management policies.

Heritage and character is vital to the area's economic base. Policies should be supportive of these assets and their evolution.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Objective 6: Design and Heritage

**Respondent:** Lynn Reel [8121]

**Summary:**

Support SOSCA's objection on grounds that local communities not engaged in design and location of new development.

**Full text:**

Supports SOSCA's Submission as attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/sfy>

## Support

**Document Element:** Objective 6: Design and Heritage

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support

**Full text:**

Support

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Objective 6: Design and Heritage

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

Support in principle

**Full text:**

The Council suggests that this objective should refer to 'landscape character', as understanding landscape character is at the heart of achieving the 'integration' of new development referred to.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Objective 6: Design and Heritage

**Respondent:** Save our South Coast Alliance (Libby Alexander) [7648]

**Summary:**

The Levelling Up and Regeneration Bill that is under consultation stresses the importance of engaging with local communities as to the design and location of new builds. The other point they stress is that the desire to build beautiful should be a high priority. There is no indication in any of the planning applications or in the Local Plan that these points are taken into account.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Local Plan - Submission to CDC - <https://chichester.oc2.uk/a/sph>

## Support

**Document Element:** Objective 6: Design and Heritage

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Strongly support

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

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**Document Element:** Objective 6: Design and Heritage

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

The Council suggests that this objective should refer to 'landscape character', as understanding landscape character is at the heart of achieving the 'integration' of new development referred to.

**Full text:**

The Council suggests that this objective should refer to 'landscape character', as understanding landscape character is at the heart of achieving the 'integration' of new development referred to.

**Change suggested by respondent:**

Include reference to landscape character

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Objective 6: Design and Heritage

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England maintains its advice, provided both as part of the Regulation 18 statutory consultation in 2019 and through subsequent, non-statutory consultations during 2021 and 2022. This has still not been addressed in the following areas [changes to plan refer]

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

Natural England advise the inclusion of the phrase “development to be sensitively designed, incorporating the special qualities of designated landscapes where required” to recognise the importance of the district’s protected landscapes.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Objective 6: Design and Heritage

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

This objective states that the National Design Code will be supplemented by local design codes. Yet the Local Plan's Policy D1 (Design Principles) says nothing about Design Codes being used. Although the title of this Objective includes 'Heritage' the actual text provides no further detail about what the Local Plan's Objectives are in relation to Heritage – this is a clear omission and needs to be rectified through modifications.

**Full text:**

See attachment.

**Change suggested by respondent:**

Modify to provide details about objectives in relation to Heritage, and with regards to design codes.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

Strategic objective 7 is not sound because it fails to consider the infrastructure investment requirements of existing residents before new development is allowed. This was already noted in the 2015 plan, so needs to be retained. There are longstanding recognised issues with high ground water levels, regular flooding of carriage ways and fields which will be exacerbated to unacceptable levels if development proceeds without first addressing the issue. There are other substantial concerns about the availability of a sufficient supply of fresh water for drinking and household requirements, and I do not have any confidence that this local plan is addressing the matter. The proposed concentration of 13% of all housebuilding for Chichester in a single site with existing issues is not credible without a clear objective to upgrade the infrastructure first. I do not have confidence in the way in which CDC is stating the objective or its ability to influence the infrastructure partners, and am concerned that it has become so frustrated internally regarding a housebuilding agenda that it has lost sight of the critical pre-conditions. If this is not addressed, the residents of Saxon Meadow are at clear risk of waste water ingress into their properties, of ponding / flooding from high rainfall that cannot soak away, and from shortages of drinking water and/or low pressure issues. This will also ruin the gardens at Saxon Meadow in periods of low rainfall, as it is more likely that there will be restrictions on water consumption.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergencV"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversitV"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid rood damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses

11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11:Conservation Areas "protecting the setting (including views into and out of the area)"
23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

#### Change suggested by respondent:

Amend as follows:

- To work with infrastructure providers to ensure the timely delivery of key infrastructure to ensure that the needs of existing residents are met, and provide for all of the infrastructure requirements of existing dwellings prior to considering any new development, and then after that, to support delivery of new development.
- New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area.
- Key infrastructure to support the Local Plan will include improvements to transport, open space and green infrastructure, education, health, water supply and removal, telecommunications, flood risk and coastal change management and the provision of minerals and energy first for existing and then for new developments only if it can be demonstrated that there is resilience in the infrastructure to accommodate growth.
- A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport, including new train stop to serve any development that is located in Tangmere, using the existing railway between Barnham and Chichester to place a new station stop in Oving. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a predict and provide process.
- Sewerage undertakers will need to work with regulators to deliver improvements in wastewater infrastructure to support existing and new development and to ensure adverse environmental impacts are avoided in domestic properties, businesses on internationally designated habitats.
- Development proposals will be considered only after it can be demonstrated that there is a sustainable source of fresh water supply to meet the needs of existing requirement for the foreseeable future, and taking climate change into account. Improvements to water efficiency, conservation and storage capacity will be made. Infrastructure requirements will be kept under review through the Infrastructure Delivery and Business Plans and development will be phased to align with provision of essential infrastructure.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Mr simon urry [7840]

**Summary:**

This Objective highlights/prioritises the mitigation of impacts on the A27, implying that other areas will be developed with a weaker view on any detrimental effects and development along the A27 will be delayed. The A27 is struggling to cope and needs work whatever other development happens. The A27 corridor should be seen as an opportunity for a joined up approach to a major infrastructure and housing plan.

Our local water and sewerage systems also struggle and whilst fixing them would allow for more housing it would be a huge expense for relatively small return when compared to the A27 corridor.

**Full text:**

This Objective highlights/prioritises the mitigation of impacts on the A27, implying that other areas will be developed with a weaker view on any detrimental effects and development along the A27 will be delayed. The A27 is struggling to cope and needs work whatever other development happens. The A27 corridor should be seen as an opportunity for a joined up approach to a major infrastructure and housing plan.

Our local water and sewerage systems also struggle and whilst fixing them would allow for more housing it would be a huge expense for relatively small return when compared to the A27 corridor.

**Change suggested by respondent:**

The plan should be biased towards improvements and development along the A27 and away from inefficient piecemeal building, with each location requiring its own expensive infrastructure upgrades.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Chichester and District Cycle Forum (Mr Ian Sumnall, Retired) [5361]

**Summary:**

While the objective says all the right things the policies which follow in in draft Plan Policies will not achieve the stated objective..

**Full text:**

While the objective says all the right things the policies which follow in in draft Plan Policies will not achieve the stated objective..

**Change suggested by respondent:**

There needs to be clear agreement with the relevant statutory undertakers as to when the deficiencies in infrastructure will be rectified, so that housing land release is phased in line with such provision. This should be set out in an agreed Statement of Common Ground.

In relation to traffic mitigation to relieve congestion and to shift travel to sustainable and active travel modes the draft polices lack teeth to achieve these aims. Again land release for development should follow from such transport investment, not proceed it.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

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**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Elizabeth Lawrence Ltd (Mrs Elizabeth Lawrence, Planner) [906]

**Summary:**

I support the objective, but am concerned that without establishing achievable improvements to the A27 and ensuring the New Climate change map is sound it would be premature to propose to centre development in relatively small settlements along the West/east corridor. This could result in more congestion as Chichester will be the core settlement, without delivering the necessary infrastructure improvements. .

**Full text:**

I support the objective, but am concerned that without establishing achievable improvements to the A27 and ensuring the New Climate change map is sound it would be premature to propose to centre development in relatively small settlements along the West/east corridor. This could result in more congestion as Chichester will be the core settlement, without delivering the necessary infrastructure improvements. .

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Support

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Elizabeth Lawrence Ltd (Mrs Elizabeth Lawrence, Planner) [906]

**Summary:**

Support in principle

**Full text:**

I support the objective, but am concerned that without establishing achievable improvements to the A27 and ensuring the New Climate change map is sound it would be premature to propose to centre development in relatively small settlements along the West/east corridor. This could result in more congestion as Chichester will be the core settlement, without delivering the necessary infrastructure improvements. .

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach.

**Full text:**

WGPC supports this approach.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

We support the reference to the need for waste water service providers to work with regulators to ensure adequate provision for the delivery of the plan. However we fear that in reality the required infrastructure will not be deliverable in the timescale of the Plan delivery which will lead to the continued discharging of untreated effluent into Chichester Harbour and other water bodies, including the Lavant, which flows into the Harbour. This will lead to the continued ecological decline of the harbour and work directly against the ambitions to restore it to favourable condition.

**Full text:**

We support the reference to the need for waste water service providers to work with regulators to ensure adequate provision for the delivery of the plan. However we fear that in reality the required infrastructure will not be deliverable in the timescale of the Plan delivery which will lead to the continued discharging of untreated effluent into Chichester Harbour and other water bodies, including the Lavant, which flows into the Harbour. This will lead to the continued ecological decline of the harbour and work directly against the ambitions to restore it to favourable condition.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqx>

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Lynn Reel [8121]

**Summary:**

Support SOSCA's objection on grounds of lack of wastewater and road infrastructure.

**Full text:**

Supports SOSCA's Submission as attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/sfy>

## Support

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Mr Jan Davis [7907]

**Summary:**

Key infrastructure to support the local plan will be required to provide sufficient renewable electricity distribution for heating of housing, Electric Vehicle charging and community or individual solar power generation.

**Full text:**

Key infrastructure to support the local plan will be required to provide sufficient renewable electricity distribution for heating of housing, Electric Vehicle charging and community or individual solar power generation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

There is nothing in the Plan to show how a sustainable and integrated transport system is to be achieved . Where are the consultations with Southern Rail and Stagecoach? The highway improvements to the A27 west of Chichester will not be achieved until AFTER the housing is built. No highway improvements, cycling or walking routes are planned for the A259 which will be under severe pressure from increasing numbers of cars because the transport infrastructure is not adequate to move residents away from their cars.

**Full text:**

There is nothing in the Plan to show how a sustainable and integrated transport system is to be achieved . Where are the consultations with Southern Rail and Stagecoach? The highway improvements to the A27 west of Chichester will not be achieved until AFTER the housing is built. No highway improvements, cycling or walking routes are planned for the A259 which will be under severe pressure from increasing numbers of cars because the transport infrastructure is not adequate to move residents away from their cars.

**Change suggested by respondent:**

Plan for an integrated public transport system

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Ms Anna Glanville-Hearson [7957]

**Summary:**

Local Plan, Chapter 8 (Transport and Accessibility), Section 8.8, and Policy T1. I contend that in the light of current public transport performance, the plan is ineffective and unsound.

There are three groups of residents who are not receiving an adequate bus service - these groups cover almost all residents of Chichester and its outlying areas.

Evidence from existing performance is that our public transport providers, Stagecoach and Compass, are providing an inadequate service. If public transport systems are not improved significantly they will not be able to satisfy the needs of residents and the vision of the Local Plan.

**Full text:**

I refer to Chapter 8 (Transport & Accessibility), Section 8.8 and Policy T1, items 1-4.

Bus services in Chichester are sparse, infrequent and expensive eg no 47 every 2 hours, no 56 every 1.5 hours. So local residents - many of advancing age - are forced to use cars to access town-centre shops and retail parks leading to frequent gridlock. There are also no services to the many new outlying developments - some families on Shopwhyke Lakes have waited four years for a bus service. They are also forced to use cars. Finally many people moved here from larger cities after the pandemic; our public transport providers do not offer any hardcopy timetables or maps (only online); this disempowers residents and leads to widespread confusion - yet another cause of additional car traffic which blights the city and environs.

Evidence from existing public transport performance is that our public transport providers, Stagecoach and Compass, are currently providing an ineffective and inadequate service. If public transport systems are not improved significantly they will not be able to satisfy the needs of residents and the vision of the Local Plan.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Mrs Debbie Carter [6624]

**Summary:**

The plan is unsound and ineffective because, based on the present status of the key infrastructure of Bus Transport, walking and cycling networks, will not be improved in a timely manner to support the magnitude and timetable of the developments in the plan.

Drinking water where already considerable improvements are necessary and the timely delivery of sustainable sourced water to support the the planned housing developments is just as important as sewerage.

**Full text:**

The plan is unsound and ineffective because, based on the present status of the key infrastructure of Bus Transport, walking and cycling networks, will not be improved in a timely manner to support the magnitude and timetable of the developments in the plan.

Drinking water where already considerable improvements are necessary and the timely delivery of sustainable sourced water to support the the planned housing developments is just as important as sewerage.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Support.]  
Objective 7: (Strategic Infrastructure) "A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process" and "Infrastructure requirements will be kept under review through the Infrastructure Delivery and Business Plans and development will be phased to align with provision of essential infrastructure". This objective will help to reduce demand and reliance on the A27 especially in peak periods.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace

which provides for and accommodates the proposed progress and implementation of the plan?

d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

**Full text:****Executive Summary**

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all



wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – WGPC supports this approach but questions how it could be applied to Wisborough Green. WGPC has concerns that the claims made will be neither addressed nor achieved in Wisborough Green:

- Public or sustainable transport
- Education places
- Healthcare provision
- Water supply
- Wastewater treatment capacity
- 

Within the plan it states that Loxwood, Plaistow and Ifold and Wisborough Green are served by the Loxwood WTW. Kirdford is served by the Kirdford WTW. This is incorrect. Wisborough Green has its own WTW.

**Full text:**

Support – WGPC supports this approach but questions how it could be applied to Wisborough Green. WGPC has concerns that the claims made will be neither addressed nor achieved in Wisborough Green:

- Public or sustainable transport
- Education places
- Healthcare provision
- Water supply
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Within the plan it states that Loxwood, Plaistow and Ifold and Wisborough Green are served by the Loxwood WTW. Kirdford is served by the Kirdford WTW. This is incorrect. Wisborough Green has its own WTW.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

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**Change suggested by respondent:**

Within the plan it states that Loxwood, Plaistow and Ifold and Wisborough Green are served by the Loxwood WTW. Kirdford is served by the Kirdford WTW. This is incorrect. Wisborough Green has its own WTW.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Greater emphasis must be placed through development and site-specific policies to ensure essential infrastructure is provided 'up front' before first occupation, and other infrastructure needs provided before the development is completed or the developer has meaningfully left the site.

Past developments have failed to achieve improvements to the A27 and its junctions, and the proximity of some has constrained future opportunities for improvement. The developments, particularly volume housebuilding have added to, rather than mitigated congestion, by following a blinkered, site-centric attitude to meeting housing numbers without responsibility for infrastructure impacts.

The principal causes of A27 congestion are local traffic movements from and to an inadequate local highway network, made worse by poorly integrated new developments, and conflicted priorities between through and crossing traffic. The solution is not as many local people believe to replace the A27 completely with a very costly new "by-pas" of limited economic or environmental benefit to the city and district. Past by-pass proposals have failed to correctly assess the true economic cost of options promoted, or the cost and benefits of tackling the issues at a local level of on-line improvements and co-ordinated improvements in the local highway network; the latter in part being hampered by differing responsibilities (National and local – the limits of which are guarded religiously) and a failure to engage appropriately and positively to solve a common problem.

Neither the local plan nor its strategies should be based on any A27 by-pass premise and should not make provision for any A27 by-pass proposal.

**Full text:**

Greater emphasis must be placed through development and site-specific policies to ensure essential infrastructure is provided 'up front' before first occupation, and other infrastructure needs provided before the development is completed or the developer has meaningfully left the site.

Past developments have failed to achieve improvements to the A27 and its junctions, and the proximity of some has constrained future opportunities for improvement. The developments, particularly volume housebuilding have added to, rather than mitigated congestion, by following a blinkered, site-centric attitude to meeting housing numbers without responsibility for infrastructure impacts.

**Change suggested by respondent:**

The plan should indicate a clear and precise interrelationship between new development and the provision of supporting infrastructure and wider infrastructure improvements.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Support Letter 10 1 23 - <https://chichester.oc2.uk/a/sq8>

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Save our South Coast Alliance (Libby Alexander) [7648]

**Summary:**

Significant infrastructure improvements in drainage and transport need to be made in advance of new development.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Local Plan - Submission to CDC - <https://chichester.oc2.uk/a/sph>

## Support

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support in principle. Wording changes needed. Set out in additional rep - 5902.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Landlink Estates Ltd [1764]

**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]

**Summary:**

The objective does not include any mention of the requirement for renewable energy development. There is no plan for renewable energy in the district, this demonstrates therefore that the plan fails in its legal duty to contribute to the mitigation and adaptation to climate change.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sjr>

1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>

3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>

Email Trail - <https://chichester.oc2.uk/a/sj3>

2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>

4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>

5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>

6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>

6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>

8. Archeaological DBA - <https://chichester.oc2.uk/a/sj9>

12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>

13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>

13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>

13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>

14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>

7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>

11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>

9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>

10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>

Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>

Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England maintains its advice, provided both as part of the Regulation 18 statutory consultation in 2019 and through subsequent, non-statutory consultations during 2021 and 2022. This has still not been addressed in the following areas [changes to plan refer]

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

Natural England advise the inclusion of the phrase “and that nature-based solutions are incorporated into new development”, as this will provide multifunctional benefits such as managing surface water and grey waste, contributing to biodiversity and proving natural cooling from the effects of climate change.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Whilst working with infrastructure providers is clearly important this should not be the overall objective – the overall objective should be to identify and deliver the infrastructure required to deliver the spatial strategy. What are the key measurable deliverables for infrastructure, when will they be delivered and for what purpose?

**Full text:**

See attachment.

**Change suggested by respondent:**

Amend objective to be to identify and deliver the infrastructure required to deliver the spatial strategy.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

**Document Element:** Objective 7: Strategic Infrastructure

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Needs minor changes, then strongly support

Replace “the Local Plan will include improvements to transport....” With “the Local Plan will include improvements to active travel infrastructure, public transport.....”

Replace “Highway improvements....” With “Highway capacity will be reallocated to design in Hierarchy for Road User, with priority for people walking, cycling, public transport so that people choose active travel or active travel combined with public transport as the obvious way to access what they need. This will eliminate congestion and remove the need to expand the A27.

**Full text:**

See attached.

**Change suggested by respondent:**

Replace “the Local Plan will include improvements to transport....” With “the Local Plan will include improvements to active travel infrastructure, public transport.....”

Replace “Highway improvements....” With “Highway capacity will be reallocated to design in Hierarchy for Road User, with priority for people walking, cycling, public transport so that people choose active travel or active travel combined with public transport as the obvious way to access what they need. This will eliminate congestion and remove the need to expand the A27.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Sustainable development, 3.1

**Respondent:** Deerhyde Limited [7657]

**Agent:** Vail Williams LLP (David Ramsay, Partner) [8134]

**Summary:**

Plan in conflict with NPPF definition of sustainable development as referred to in paragraph 3.1, as not allocating sites on the Manhood Peninsula, particularly settlement hubs, means the plan fails to deliver 'sufficient supply of homes and facilitating a variety of sites to come forward where needed' as required by the NPPF.

**Full text:**

I am pleased to attach our representations in response to the Chichester Local Plan Regulation 19 consultation. These

representations are submitted on behalf of our clients Deerhyde Ltd. owners of land in Selsey and located in the area for a significant number of years.

The submitted documents include the following:

- Representations statement
- Plans showing the potential road widening of Golf Links Lane and Paddock Lane, Selsey
- Development potential of sites for residential development at Golf Links Lane and Old Farm Road, Selsey taking account of flood zones 2 and 3 (2 plans 15-085 SK03 and SK04)
- Plans showing access options to Golf Links Lane site
- Plan showing tracking analysis for low-loaders
- Junction analysis
- Submission form

As detailed in the attached, after careful consideration we have concluded that the housing strategy for Chichester is flawed in principle as it fails to allocate sufficient sites in outside Chichester City (or adjacent to) to allow the remainder of the District to continue to provide houses for local people in areas where they are most needed.

In addition, our clients have put forward a suggestion for an infrastructure improvement to Selsey – namely the widening of Golf Links Lane and Paddocks Lane to accommodate delivery of caravans / other HGV / LGVs but also to provide a wider carriageway which could potentially incorporate a pavement / footpath cycleway to aid safer conveyance of pedestrians and vehicles in the area. Adding in a safer highway solution would also encourage car users to walk or cycle for local trips rather than risking congestion in the car. It would have the added benefit of diverting caravan park traffic travelling from the north into the caravan parks earlier and thus relieving congestion of Selsey High Street.

Introduction

1.1. Vail Williams LLP has been instructed by Deerhyde Ltd to submit representations to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) document.

1.2. As per the Website, these comments seek to address the three questions namely:

1. Is it legally compliant?
2. Is it sound?
3. Does it comply with the duty to cooperate?

1.3. These representations are largely focussed on the provision of housing and ensuring that a satisfactory access (both vehicular and pedestrian) can be maintained and enhanced, particularly in Selsey.

1.4. These representations reflect the fact that our client, Deerhyde Ltd, owns a significant amount of land in the Selsey area, an interest which was acquired in 1986 but with family ownership going back many years before then.

1.5. Our clients have identified a potential opportunity to facilitate highway improvements within Selsey which would be to the benefit of both residents and tourists using the holiday parks and other attractions alike. This would particularly be of benefit given the Council's acknowledgement that the B2145 through Selsey is the busiest B road in the country. These representations bring into question the 'tests of soundness'. In particular regarding the questions as to whether it is 'sound' on the basis of whether it has been 'positively prepared', whether it is 'justified' and 'effective' in respect of the areas of concern raised with respect to employment land provisions.

1.6. As set out at Paragraph 35 of the NPPF local plans are required to be 'sound'. Plans are considered sound when the following applies:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>1</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy<sup>2</sup>, taking into account the reasonable alternatives<sup>3</sup>, and based on proportionate evidence<sup>4</sup>;
- c) Effective – deliverable over the plan period<sup>5</sup>, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.<sup>6</sup>

1.7. These representations seek to highlight that Chapter 5 (Housing) has not been positively prepared, in so far as it does not provide [1.] "a strategy which, as a minimum, seeks to meet the area's objectively assessed needs".

1.8. It is also considered that Chapter 5 is not justified as the housing strategy is [2.] is inappropriate as it relies on a number of large strategic sites, with multiple issues some of which are in conflict with other parts of the local plan.

1.9. Chapter 5 is also not justified with respect to its provisions do not [3.] take into account reasonable alternative sites.

1.10. It is considered on the basis of the other factors highlighted in these representations and the proposed housing land provision is not 'consistent with national policy' as the proposed provision does not enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant. It is considered that the proposed plans are contrary to the NPPF paragraph 16a, 16b, 16c, 16d and paragraph 20a



## 2 Local Plan Representations

2.1. Having reviewed the draft Local Plan we would make the following comments:

2.2. Paragraph 3.1 asserts the Government's encouragement for local planning authorities to ensure sustainable development is at the forefront when considering planning applications and that the National Planning Policy Framework (NPPF) defines sustainable development as "meeting the needs of the present without compromising the ability of future generations to meet their own needs". Paragraph 3.5 goes on to advise the range of factors as are informed the spatial strategy which underpins the local plan which, inter alia, "the pattern of need and demand for housing and employment across the area", "infrastructure capacity and constraints, in particular related to waste water treatment, roads and transport", "the availability of potential housing types, their deliverability and phasing" and this needs to take place whilst being mindful of the environmental constraints taking a sequential approach to avoiding flood risk areas, protect the environmental designations, landscape quality, the historic environment and settlement character.

2.3. The principles outlined above are supported as these are the key facets of good planning and plan making. However it falls to local authorities to ensure that the sustainable approach includes providing a sufficient supply of homes and facilitating a variety of sites to come forward where needed, and that the needs of groups within specific housing requirements are addressed and that land with permission is developed without unnecessary delay. (Paragraph 65). Paragraph 66 states that within the overall requirement [for housing] strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.

2.4. Paragraph 67 goes on, where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take account of factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

2.5. Paragraph 68 asserts that strategic policy making authorities should have a clear understanding of the land available in their area through the preparation of a Strategic Housing Land Availability Assessment (SHLAA). From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and locally economic viability.

2.6. Further guidance states (Paragraph 69) that small and medium sized sites can make an important [my emphasis] contribution to meeting the housing requirements of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites the local planning authority should identify sites of small and medium size and support the development of windfall sites through their promises and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes.

2.7. Neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites suitable for housing in their area. Paragraph 71 goes on: where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the SHLAA, historic windfall delivery rate and expected future trends.

2.8. Whilst it is noted that the delivery of large scale sites can result in the delivery of large numbers of new homes, it is apparent that such developments take considerable time to work their way through the planning system to an approval and even then are only at outline stage. The delivery of new homes is therefore reliant on the Councils to efficiently determine reserved matters applications and, thereafter, discharge of conditions, to allow a swift implementation of planning applications and a timely start on site for the delivery of housing.

2.9. The inclusion of small and medium sites (ie. not reliant on strategic sites) within the housing mix are invaluable in delivering housing quicker and potentially in places, perhaps outside the main settlements, which would allow new housing to be accessible to all which is one of the key facets of the NPPF.

2.10. This approach would assist with maintaining delivery of housing where existing allocations are either stalled or progressing slowly through the planning system or have simply been delayed in coming forward for perhaps other commercial reasons.

2.11. The plan is largely predicated on strategic sites, as detailed at Policy H2 which would provide 7,195 houses. This is a significant reliance on the strategic sites to deliver 75% of the overall housing target and much of them are predicated on the works to the A27 being completed in order to make them acceptable.

2.12. It should be noted that the above housing provision is predicated on the ability to identify mitigation for the impacts on the European environmental designations (including nutrient neutrality), addressing highway implications and negotiating the planning system.

The Manhood Peninsula

2.13. The preferred approached version of the Local Plan does include moderate growth for the settlement hubs of Selsey (250 dwellings) and East Wittering (350) and the service village of Hunston (200). However, since then several planning permissions have contributed to the moderate levels of growth on the Manhood Peninsula which the Council says has accounted for these housing numbers. The plan does not therefore include any strategic allocations on the Manhood Peninsula in recognition of this recently permitted growth and the ongoing constraints the area faces, save for 50 dwellings to come forward at North Mundham.

2.14. This approach is not considered sound as a reason to prevent development of any scale on the Manhood Peninsula (particularly Selsey) for the plan period. As detailed above, it is essential that the plan allocates land across its settlement hierarchy in order to maintain a sustainable and deliverable approach to development and to assist the continuing evolution and economic viability of settlements which rely heavily on tourism and also on new development to maintain the supply of homes to provide options for all sectors of the local community to be able to live on the Peninsula should they so wish.

2.15. It is noted that at Policy S2 (settlement hierarchy), Selsey is listed as a "settlement hub" which is the second tier of settlement under Chichester city. Whilst this hierarchy, particularly in connection with Selsey is supported it is therefore surprising not to see more housing sites allocated within and around Selsey.

2.16. Given the potential number of environmental constraints on the Manhood Peninsula it is unlikely that sites of any excessive size would come forward and large numbers of dwellings would not necessarily result once the sites had taken account of their environmental constraints. That said, and as reflected above, sites of a size proportionate to their location but below "strategic" size can have an important part to play in the delivery of sufficient housing numbers in the right location at the right time in accordance with the NPPF.

#### Housing

2.17. Policy H1 (meeting housing needs) sets out the housing requirement for the full plan period of 1 April 2021 to 31 March 2039 as 10,350 dwellings. This allocates 963 dwellings to the Manhood Peninsula and a windfall (small site allowance) allocation of 657 dwellings for the whole district. There are no strategic locations/allocations on the Manhood Peninsula under Policy H2 which is considered unsound, particularly given the position that Selsey holds in the settlement hierarchy. Furthermore, under Policy H3 (non-strategic parish housing requirements 2021-2039) Selsey has been allocated zero housing. Again, this is considered unsound as it prevents sustainable development and access to new houses for all settlements across the district.

2.18. An overreliance on consented sites coming forward to provide future housing is considered unsound as, in this case, it effectively prevents any further development on the Peninsula and in Selsey in particular.

#### Transport

2.19. Policy T1 (transport infrastructure) is specifically aimed at ensuring that integrated transport measures will be developed to mitigate the impact of planned development on the highway network, improve highway safety and air quality, promote more sustainable travel patterns and encourage increased use of sustainable motor travel, such as public transport, cycling and walking.

2.20. The council will work with National Highways, WSCC, other transport and service providers and developers to provide a better integrated transport network and improve accessibility to key services and facilities. The policy lists seven ways in which the key objectives of reducing the need to travel by car, enabling access to sustainable means of travel, including public transport, walking and cycling; managing travel demands; and mitigating the impacts of travelling by car can be achieved.

2.21. Whilst it is not intended to go through all of these in this document it is noted that all parties are expected to support the four objectives by working with relevant providers to improve accessibility to key services and facilities which would be relevant to Selsey (see below).

2.22. The policy is also aimed at planning to achieve a timely delivery of transport infrastructure on the A27 and elsewhere on the network which is needed to support new housing, employment and other development identified in this plan. The phasing of delivery of new development to align with provision of new transport infrastructure such as improvements to the A27 and elsewhere on the highway network, will be key to managing impacts on the highway. This is yet another impediment to the delivery of a strategic allocations and larger scale development which would, by their very nature, generate a higher highway impact on the transport network than carefully planned smaller developments which could satisfy a much more localised need and be cause less impact on the strategic road network. The tariff proposals outlined at paragraph 8.20 only covers part of West of Chichester and Tangmere SDLs and not the other strategic sites outlined at Policy H2.

2.23. Critically it is also understood that Highways England has pulled funding for the improvements to the Bognor Road roundabout as part of a package of A27 improvements. On this basis it is unclear how further funding would be secured at this time.

2.24. The lack of soundness to the approach of significant reliance on strategic sites, due to the current lack of capacity of the A27, is evident in the text that accompanies the policy which states that opportunities to secure funding to implement this package of improvements will be maximised by working proactively with Government agencies, other public sector organisations and private investors. Developer contributions from new development will also be sought. It is clear that smaller scale developments which would have a significantly lesser impact on the highway network could deliver housing quicker and with fewer constraints to implementation. It is for these reasons that smaller sites should be allocated, particularly in the Manhood Peninsula, for development.

2.25. The content of Policy T2 (transport development) is largely supported and considered sound save for the fact that it does not seem to cover the improvement of local transport routes, particularly those that would assist in improving the circulation of traffic around smaller settlements. The policy should be amended to specifically relate to local transport improvements which are locally important to aid traffic circulation and reduce congestion.

#### Neighbourhood Plan

2.26. The Selsey Neighbourhood Plan does not seek to allocate any sites or residential development, instead relying on those which were allocated in the previous local plan and, in particular, developments at Park Farm/Middle Field and Drift Field totalling 249 houses. It is assumed that this existing commitment accommodates the neighbourhood plan of 150 houses which is the justification for not allocating of residential development in the neighbourhood plan. However, this is short sighted as the neighbourhood plan runs to 2029 and, although development sites are largely controversial within smaller communities there is a lack of recognition of the requirement to provide new houses for existing and future residents (including descendants of current residents) in order to maintain the vitality and viability of the settlement outside of the tourist season where it is recognised that the local population will swell.

2.27. These points add further weight to the considered lack of soundness to the housing policies in the local plan which fail to recognise the need for smaller allocations within the Manhood Peninsula, particularly Selsey.

### 3 Local Infrastructure Provision

#### Selsey Road Improvements

3.1. Our clients wish to put forward a potential highway improvement scheme for Selsey which has come about given their extensive historic knowledge of the town and experience of significant congestion along Selsey High Street as a result of an over-reliance of this route by traffic using the caravan parks. It would be a common sense alternative route (to using High Street) which will alleviate congestion along Selsey High Street/School Lane/Paddock Lane/Warners Lane, particularly during the summer months.

3.2. The local plan focusses its attention on the need to improve the strategic highway network but this proposal would provide a significant benefit at a local level in Selsey. As per the attached plan, our clients propose to widen Golf Links Lane from its junction with the B2145 Chichester Road to its junction with Paddock Lane, then widen Paddock Lane and make it up to adoptable standard to enable delivery of holiday traffic to the point where it meets the north eastern corner of White Horse Caravan Park, from which point the road has been made up to carry holiday traffic. At the moment, the northern section of Paddock Lane is just a rough track which is not suitable for ordinary road traffic. It is envisaged that, in conjunction with the owner of the largest caravan parks, Warner's Lane will also be improved. It is currently a tarmac road in poor condition with no footways and one section is too narrow to allow two vehicles to pass each other. This is not satisfactory for the major access route to the largest caravan parks.

3.3. Golf Links Lane is currently a single track, tarmac road which is in poor condition. It is two-way but much of it is too narrow to allow two vehicles to pass each other. It serves Northcommon Farm, a small housing development on the northern side, Selsey Golf Club and Selsey Country Club (which comprises c.300 holiday chalets and an associated licensed club). It if were to be made up to adoptable standard to the point where it meets Paddock Lane, it would improve access for existing users but, importantly, it would also create a more direct access route (in conjunction with Paddock Lane) for traffic associated with thousands of holiday caravans as well as a touring caravan park.

3.4. Given that a large proportion of holiday traffic and other tourist industry-related traffic (HGVs carrying food and drink, caravan transporters, tractor/trailer transport and public transport) use the route along High Street/School Lane/Paddock Lane/Warners Lane it is considered that this could be diverted from the B2145 Chichester Road further north than Selsey High Street, thus taking traffic away from the congested High Street. An easier, more direct route to the major caravan parks would be an attractive alternative.

3.5. The mechanism to deliver such a proposal is not yet the subject of formal agreement. A large proportion of the land required to widen the roads is within the ownership of Deerhyde Limited (our clients) and the owner of the major caravan parks. The latter has been very supportive of the proposal verbally. A short section of land is not in any specific ownership but our clients have long-standing rights over its use, which can be traced back to 1830. Our clients are serious about facilitating these highway improvements, including the use of their land, which will inevitably have a significant financial impact upon them.

## Potential Residential Development Sites

3.6. In order to mitigate the financial impact including both the loss of their land and the implementation of the proposed highway improvements our clients would like to promote two sites for residential development, namely land north of Golf Links Lane (13.5 acres/5.46 hectares) and land west of Old Farm Road for residential development. Whilst the north western corner of the site is located within Flood Zones 2 and 3 it is considered that the developable area of the site would be approximately 4 hectares and could therefore deliver approximately 120 to 140 dwellings. This includes retaining the existing boundary screening along the south eastern boundary and avoiding Flood Zones 2 and 3. An indicative plan is attached to this statement.

3.7. Thawscroft Ltd, an associated company, also owns land west of Old Farm Road, Selsey (2.8ha / 6.9 acres) which taking account of the flood risk constraints along its western boundary could accommodate approximately 50 dwellings. An indicative plan is attached to this statement.

3.8. Having reviewed the planning history of the site it is noted that a planning application (under the name of Thawscroft Limited) was made in December 2016, refused in June 2017 and the appeal was dismissed on 11 June 2018.

3.9. The reasons for refusal related to the following:

1. Site is located outside the defined settlement boundary for Selsey.

2. When the planning officer was giving evidence, he stated that he knew of an alternative site at lower risk of flooding but he would not identify it. After the appeal, an area of land north of Park Lane was identified for 250 houses. The land in question becomes waterlogged in the winter and is highly prone to surface water flooding. It is also only about 250m from Pagham Harbour, a site of major ecological importance with a significant level of protection afforded to it. The planning officer said the real issue with our appeal was one of numbers so it seemed curious to me that a site with a much larger number (250) was identified soon afterwards. Also, the land south of Park Lane (similarly prone to surface water flooding) was in the numbers for 2015/20 but in fact could not be started until 2021 so the planning inspector was misled. I believe that was crucial to the outcome. Landlink have proposed land west of the "Wave" roundabout (opposite Asda). This may be as an alternative for the land north of Park Lane. Neither parcel would be a good fit in the settlement policy area, whereas the land to the west of Old Farm Road would be, a fact acknowledged by planning officers in the past.

3. We did in fact offer to provide contributions towards improving the A27 so that reason for refusal was withdrawn prior to the appeal being heard.

4. As far as I can recall, the Council was content with our proposals in these matters at the time the appeal was heard. The criticism was that the need to avoid Flood Zones 2 and 3 created a narrow site which meant that the layout was said to be cramped. It could be that, with a smaller number of houses, MH Architects could provide an improved layout. Maybe this is reflected in the plan to which Vail Williams refer in paragraph 3.13.

3.10. It is considered that, as detailed above, given the Council's approach to an over-reliance on large strategic sites to fulfil its housing need and the lack of sites identified for development on the Manhood Peninsula (and in Selsey in particular) during the plan period this site could be proven to be an appropriate location for development as a "windfall site" to help maintain housing supply whilst the strategic sites are in the planning system.

3.11. It is considered the dwellings on the site could be laid out to avoid the Flood Zones 2 and 3 and therefore be at considerably less flood risk than the proposal which was dismissed at appeal. This is set out in the enclosed plan. This would overcome reason for refusal 2.

3.12. Reasons for refusal 3 and 4 would be overcome through the agreement of under Section 106 of the Town & Country Planning Act to provide contributions towards the improvement to the A27 on a proportionate basis to the size of the site and the number of dwellings and also the relevant number of affordable housing units required by policy (or justified as part of a viability exercise). Other matters such as the management of the landscaping, open space, buffers and drainage infrastructure could also be secured by the Section 106 agreement.

3.13. We commend the above highways solution and subsequent development sites to officers in consideration of the draft Local Plan.

## 4 Conclusions

4.1. It is clear that whilst the overarching strategy of the location of the majority of development in the largest urban settlement of Chichester or adjacent to it is sound the lack of allocation of significant housing numbers to those areas outside Chichester is unsound. This would mean that the vast majority of the district would attract very little housing over the planning period to 2039 thus ensuring that existing settlements would not evolve and would potentially shrink as existing residents and descendants of residents migrate to the Chichester or its strategic urban extensions.

4.2. Outside Chichester, the strategic proposals for Southbourne and Tangmere are similarly isolated. The Manhood

Peninsula is particularly lacking in the provision of additional housing sites during the plan period with the justification provided that, for Selsey in particular, recent planning permissions which are being built or have been completed would accommodate all of the housing need going forward for the plan period.

4.3. This approach is flawed for two main reasons (making the Local Plan unsound):

1. The over-reliance on strategic allocations which themselves are constrained by the capacity issues on the A27 and environmental issues such as nitrate neutrality (and any future water neutrality issues which migrate south from the north of Chichester) and the usual impacts on the European sites could mean that these sites are slower in being delivered with little in the way of alternatives allowed for in the local plan.

2. The failure to acknowledge any future development potential of note within the Manhood Peninsula and in particular Selsey will constrain the continued vitality and viability of the settlements within the Manhood Peninsula, particularly following the pandemic when the service sectors are struggling. Taking into account that Selsey in particular but other settlements along the coast within the Manhood Peninsula are reliant on seasonal tourist activity, additional residents are relied upon outside these times in order to provide income for those businesses which may struggle to survive outside the holiday seasons. An effective block on development would significantly reduce the potential future viability of these settlements outside the tourist season.

4.4. The emphasis on the stated urban-focussed housing strategy encourages neighbourhood planning groups/parish and town councils to maintain an opposition to the relevant rather than a proactive policy framework to direct appropriate development within their areas.

4.5. Our clients have detailed above one way which their land could be used in conjunction with others to facilitate a local infrastructure improvement to assist traffic circulation and access in and around Selsey itself which would need to be funded by future residential development and we commend this proposal to you for further consideration.

4.6. We trust that officers will take these representations into account and we look forward to receiving confirmation that the representations have been duly made.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Local Plan Reg 19 Representation Form - Chichester Local Plan - <https://chichester.oc2.uk/a/sjm>

15-085\_SK03\_Image - <https://chichester.oc2.uk/a/sjy>

22-0360 SK02 - Potential Site Access Option 2 - <https://chichester.oc2.uk/a/sjq>

22-0360 sk03\_DRAFT - Potential Site Access - Paddock Lane - <https://chichester.oc2.uk/a/skr>

22-0360 SP01\_DRAFT - Paddock Lane - SPA Inbound - <https://chichester.oc2.uk/a/sks>

22-0360 SPP02\_DRAFT - Paddock Lane - SPA Outbound - <https://chichester.oc2.uk/a/skt>

23 01 03\_22-0360\_TFD - <https://chichester.oc2.uk/a/sk3>

23 01 04\_B2145-Golf Links Lane - <https://chichester.oc2.uk/a/sk4>

15-085\_SK04\_A.pdf - <https://chichester.oc2.uk/a/spc>

Representations to the Chichester Local Plan - March 2023 - Deerhyde Ltd -

<https://chichester.oc2.uk/a/spd>

## Object

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**Document Element:** Sustainable development, 3.3

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

"New development must achieve sustainable development principles and must not adversely affect the character, quality, amenity or safety of the built environment, wherever it occurs." The Council achieve sustainable development and deliver Policy A11. The proposed A11 will adversely affect the character, quality, and amenity of Bosham and Chichester Harbour AONB. The text in Section 3.3 is inconsistent with Policy A11.

**Full text:**

"New development must achieve sustainable development principles and must not adversely affect the character, quality, amenity or safety of the built environment, wherever it occurs." The Council achieve sustainable development and deliver Policy A11. The proposed A11 will adversely affect the character, quality, and amenity of Bosham and Chichester Harbour AONB. The text in Section 3.3 is inconsistent with Policy A11.

**Change suggested by respondent:**

Delete Policy A11.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

---

**Document Element:** Sustainable development, 3.3

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

"New development must achieve sustainable development principles and must not adversely affect the character, quality, amenity or safety of the built environment, wherever it occurs." The Council cannot achieve sustainable development and deliver Policy A11. The proposed A11 will adversely affect the character, quality, and amenity of Bosham and Chichester Harbour AONB. The text in Section 3.3 is inconsistent with Policy A11.

**Full text:**

"New development must achieve sustainable development principles and must not adversely affect the character, quality, amenity or safety of the built environment, wherever it occurs." The Council cannot achieve sustainable development and deliver Policy A11. The proposed A11 will adversely affect the character, quality, and amenity of Bosham and Chichester Harbour AONB. The text in Section 3.3 is inconsistent with Policy A11.

**Change suggested by respondent:**

Delete Policy A11.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

---

**Document Element:** Sustainable development, 3.4

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The Plan should require developers of unallocated sites to demonstrate that their housing is proposed specifically to meet the needs of a local demand for people living and working within the district to reduce the potential for increased potential through generic speculative development.

Policy must require new (and in particular speculative) housing proposals to move beyond the simple and transient benefit of providing additional housing, upon which the case for most speculative developers rely, and make a true, measurable and meaningful contribution to the community.

The plan must be more robust in its resistance to further generic estate development, requiring such proposals to present true and demonstrable evidence:

- it can make appropriate provision for future residents,
- it is truly sustainable in all aspects of the term, and
- makes a positive and measurable contribution to the district in terms of economics, infrastructure and general well-being.

**Full text:**

We support generally the work the planning authority has undertaken in co-operation with neighbouring authorities, but consider weaknesses remain in the sustainable distribution of housing and other development needs that reduces the need for commuting and unnecessary travel.

The plan should explain in greater detail the findings of co-operative working with neighbouring authorities to achieve a more sustainable spatial strategy, that provides a "joined up" spatial vision and does not follow a 'silo-mentality' of providing only for district needs.

The growth of suburbia, beloved by volume housebuilders, and exacerbated by the Government's unduly simplistic approach to meeting local housing need quickly, serves only to exacerbate many of the problems the local plan seeks to address.

Evidence of co-operative working and a step-change from 'more of the same' in terms of housing provision, will make the Plan more sound. It is essential if the plan area is to be protected from inappropriate speculative housing promoted solely on grounds of housing numbers.

The ability of neighbouring authorities, including the National Park, to provide for appropriate, further growth, including that generated within Chichester District but using employment and service opportunities beyond district boundaries, should be explained and reflected in policies and allocations.

**Change suggested by respondent:**

The Plan should require developers of unallocated sites to demonstrate that their housing is proposed specifically to meet the needs of a local demand for people living and working within the district to reduce the potential for increased potential through generic speculative development.

Policy must require new (and in particular speculative) housing proposals to move beyond the simple and transient benefit of providing additional housing, upon which the case for most speculative developers rely, and make a true, measurable and meaningful contribution to the community.

The plan must be more robust in its resistance to further generic estate development, requiring such proposals to present true and demonstrable evidence:

- it can make appropriate provision for future residents,
- it is truly sustainable in all aspects of the term, and
- makes a positive and measurable contribution to the district in terms of economics, infrastructure and general well-being.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Spatial strategy, 3.5

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

The spatial strategy is flawed as it fails to prioritise those areas with a choice of sustainable transport modes.

**Full text:**

The spatial strategy is flawed as it fails to prioritise those areas with a choice of sustainable transport modes.

**Change suggested by respondent:**

The strategy should change to make clear a priority is to provide growth in those areas with a choice of sustainable transport modes - especially areas with a train station and those with a regular bus service

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

---

**Document Element:** Spatial strategy, 3.5

**Respondent:** Elizabeth Lawrence Ltd (Mrs Elizabeth Lawrence, Planner) [906]

**Summary:**

Provide local developers and experts the time to review the new climate change map and for discussion re funding the A27 roundabout at Stockbridge to be completed.

**Full text:**

The spatial strategy is premature as there are on-going talks regarding the upgrading of the A27 through developer contributions and no opportunity has been given to developers and local experts to test the recently published climate change flood risk map.

Until this has been done a strategic layout which best reflects the Council's objectives cannot be decided upon.

To achieve a more sustainable district more reliance should be placed on East Wittering and Selsey to make them more sustainable and less reliant on Chichester. This would reduce traffic along the A27. Enlarging small settlements along the West/east corridor will place more pressure on the A27 and Chichester.

**Change suggested by respondent:**

The spatial strategy needs to be placed on hold until the above is achieved.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

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**Document Element:** Spatial strategy, 3.5

**Respondent:** Berkeley Strategic Group (Mr Charlie Rollet-Manus) [7916]

**Summary:**

Berkeley support the principle of the strategic policies and, in particular, their purpose in setting out the development needs of the district and the spatial strategy. Berkeley have a number of comments on these policies, which are set out below.

**Full text:**

Berkeley support the principle of the strategic policies and, in particular, their purpose in setting out the development needs of the district and the spatial strategy. Berkeley have a number of comments on these policies, which are set out below.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



**Document Element:** Spatial strategy, 3.5

**Respondent:** Mr David Lock and Ms Melanie Jenkins [7930]

**Agent:** Mr Jonathan Lambert [7926]

**Summary:**

Berkeley support the principle of the strategic policies and, in particular, their purpose in setting out the development needs of the district and the spatial strategy. Berkeley have a number of comments on these policies, which are set out below.

**Full text:**

Berkeley support the principle of the strategic policies and, in particular, their purpose in setting out the development needs of the district and the spatial strategy. Berkeley have a number of comments on these policies, which are set out below.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.5

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

The plan for the Tangmere Hub does not have assurances relating to flooding, protection of environmental designations, the landscape quality or the historic environment and settlement character.

This broad brushing gives no reassurance that these issues will be catered for.

No mention of the Tangmere Conservation Area Consultation 2014 which states:

'Any development to the South or West of Tangmere must respect the views and rural character of Church Lane'.

'Traffic' was identified as '...Major issue in keeping the village as it is. A relief road ... to divert traffic from the old village centre is very necessary.'

**Full text:**

The plan for Tangmere Hub does not have assurances relating to flooding, protection of environmental designations, the landscape quality or the historic environment and settlement character.

This broad brushing gives no reassurance that these issues will be catered for.

No mention of the Tangmere Conservation Area Consultation 2014 which states

'Any development to the South or West of Tangmere must respect the views and rural character of Church Lane'

'Traffic' was identified as '...Major issue in keeping the village as it is . A relief road ... to divert traffic from the old village centre is very necessary.'

**Change suggested by respondent:**

Time these issues were addressed and not whitewashed over.

The idea that this plan meets these promises in this area is a distortion of the facts. The plan should state that there will be detrimental impacts to all of these environmental issues and that the CPO will decimate the area.let's be honest !

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.5

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

Plan should seek to demonstrate how delivery of Nature Recovery Network and more localised Local Nature Recovery Strategies are going to be incorporated in the spatial element of identifying allocations for development, consistent with s179 of NPPF 2021. Planning for nature's recovery will be vital to support ambitions of plan. In relation to Objective 2: Natural Environment, it will be vital for the spatial element of the Plan to consider how this is achieved through its own actions and also policy hooks. This will enable the emerging Local Nature Recovery Strategy to work effectively with the Local Plan and be a key driver for nature's recovery over the lifetime of the plan (NPPG Paragraph: 010). SWT is supportive of CDC already taking progressive action with the identification and inclusion of Strategic Wildlife Corridors, consistent with section 179 of NPPF 2021.

**Full text:**

See attached representation.

**Change suggested by respondent:**

SWT wants this section of the draft plan to demonstrate more clearly how the spatial strategy is enabling nature's recovery. The plan should seek to demonstrate how the delivery of the Nature Recovery Network and the more localised Local Nature Recovery Strategies are going to be incorporated in the spatial element of identifying allocations for development. This would be consistent with section 179 of the National Planning Policy Framework (NPPF) 2021.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Spatial strategy, 3.5

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

The RSPB would like to see more positive and strengthened policy within the Spatial Strategy in relation to the environment rather than solely constraints. This should include the opportunity to restore, enhance, or create priority biodiversity areas and contribute to the delivery of the upcoming Local Nature Recovery Strategy which will be a mandatory requirement of CDC during the timeline of this Local Plan.

**Full text:**

Para 3.5 (p.33-34) outlines the range of factors informing the Local Plan's Spatial strategy, including: 'Environmental constraints – taking a sequential approach to avoiding flood risk areas, protecting environmental designation, landscape quality, the historic environment and settlement character'

The RSPB would like to see more positive and strengthened policy within the Spatial Strategy in relation to the environment rather than solely constraints. This should include the opportunity to restore, enhance, or create priority biodiversity areas and contribute to the delivery of the upcoming Local Nature Recovery Strategy which will be a mandatory requirement of CDC during the timeline of this Local Plan.

The RSPB supports other policies within the Local Plan which address the above need for landscape recovery and connectivity, such as Policy NE4 (Strategic Wildlife Corridors) which has the potential to provide a focus for habitat connectivity and enhancement across the district.

**Change suggested by respondent:**

Suggests a more positive and strengthened policy within the Spatial Strategy in relation to the environment rather than solely constraints. This should include the opportunity to restore, enhance, or create priority biodiversity areas and contribute to the delivery of the upcoming Local Nature Recovery Strategy which will be a mandatory requirement of CDC during the timeline of this Local Plan.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.5

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Notably missing from the Council's list of factors that informed the spatial strategy are:

- Sustainable access to facilities and services; and
- Water neutrality and specifically the Sussex North Water Resource Zone.

**Full text:**

See attachment.

**Change suggested by respondent:**

Include sustainable access and water neutrality (specifically SNWRZ) to list of factors.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Support

**Document Element:** Spatial strategy, 3.6

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green.

The proposal related to WG is purely for housing development. 'The strategy is to locate development in areas which are well located to other uses'; Wisborough Green is not.

WG is currently serviced by two bus routes solely for shopping trips on 4 days out of 7, giving 2 hrs at the desintation.

There is no provision to link with employment or student requirements to the railway station in Billingshurst.

Private car use is essential.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green.

The proposal related to WG is purely for housing development. 'The strategy is to locate development in areas which are well located to other uses'; Wisborough Green is not.

WG is currently serviced by two bus routes solely for shopping trips on 4 days out of 7, giving 2 hrs at the desintation.

There is no provision to link with employment or student requirements to the railway station in Billingshurst.

Private car use is essential.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.6

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. The proposal related to WG is purely for housing development. 'The strategy is to locate development in areas which are well located to other uses'; Wisborough Green is not.

WG is currently serviced by two bus routes solely for shopping trips on 4 days out of 7, giving 2 hrs at the desintation. There is no provision to link with employment or student requirements to the railway station in Billingshurst. Private car use is essential.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. The proposal related to WG is purely for housing development. 'The strategy is to locate development in areas which are well located to other uses'; Wisborough Green is not.

WG is currently serviced by two bus routes solely for shopping trips on 4 days out of 7, giving 2 hrs at the desintation. There is no provision to link with employment or student requirements to the railway station in Billingshurst. Private car use is essential.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.6

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

In relation to supporting text, Kirdford is not an area that is well located to other uses and nor is it serviced by any choice of transport modes apart from the private automobile and a poor bus service.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

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**Document Element:** Spatial strategy, 3.7

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

See objection to S1 under Policy A14 Tangmere

**Full text:**

See objection to S1 under Policy A14 Tangmere

**Change suggested by respondent:**

see proposed changes under Policy 14

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

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**Document Element:** Spatial strategy, 3.8

**Respondent:** Mr simon urry [7840]

**Summary:**

180 dwellings in Chichester city cannot be considered a 'significant proportion' compared to 75 in Wisborough Green. The plan is to prioritize further develop urban development. Small villages should be allowed to grow slowly.

**Full text:**

180 dwellings in Chichester city cannot be considered a 'significant proportion' compared to 75 in Wisborough Green. The plan is to prioritize further develop urban development. Small villages should be allowed to grow slowly.

**Change suggested by respondent:**

The plan should be clear that all available urban sites will be used for the required housing, prior to involving less well-suited small rural villages.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

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**Document Element:** Spatial strategy, 3.8

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Support in principle.

**Full text:**

While building on the previous local plan in terms of spatial strategy, the plan at this paragraph should clarify the strategic change now imposed which removes land from previous site allocations – Policy A9 and MapA9a Westhampnett/North East Chichester

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Spatial strategy, 3.8

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

While building on the previous local plan in terms of spatial strategy, the plan at this paragraph should clarify the strategic change now imposed which removes land from previous site allocations – Policy A9 and Map A9a Westhampnett/North East Chichester

**Full text:**

While building on the previous local plan in terms of spatial strategy, the plan at this paragraph should clarify the strategic change now imposed which removes land from previous site allocations – Policy A9 and Map A9a Westhampnett/North East Chichester

**Change suggested by respondent:**

The plan at this paragraph should clarify the strategic change now imposed which removes land from previous site allocations – Policy A9 and Map A9a Westhampnett/ North East Chichester

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Spatial strategy, 3.9

**Respondent:** Dr Carolyn Cobbold [6612]

**Summary:**

There is a once-in-a-generation opportunity to redevelop the city centre Southern Gateway area of Chichester to provide many more affordable houses than that included in the Local Plan including the provision of a major hotel, retail, restaurants, a health centre, music venues, modernised Law Courts, a transport hub based at the train station and an innovation centre in the historic bus depot.

**Full text:**

There is a once-in-a-generation opportunity to redevelop the city centre Southern Gateway area of Chichester to provide many more affordable houses than that included in the Local Plan including the provision of a major hotel, retail, restaurants, a health centre, music venues, modernised Law Courts, a transport hub based at the train station and an innovation centre in the historic bus depot.

**Change suggested by respondent:**

The plan should acknowledge the potential of the Southern Gateway to deliver AT LEAST 270 dwellings, potentially many more, and state that work will continue to create a visionary masterplan for the area through liaison with WSCC, the Post Office, British Rail, the Department of Justice and other large landowners in the town centre

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.9

**Respondent:** Mr simon urry [7840]

**Summary:**

The plan states Chichester city is the most sustainable area for development and that there is potential for a further 270 dwellings on 'mainly brownfield sites within the city'. These locations should take priority to be developed.

**Full text:**

The plan states Chichester city is the most sustainable area for development and that there is potential for a further 270 dwellings on 'mainly brownfield sites within the city'. These locations should take priority to be developed.

**Change suggested by respondent:**

The plan should be clear that it will ensure prioritized urban development is carried out and that small rural villages will not be unsustainably developed to support lack of progress elsewhere.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.9

**Respondent:** Mr James Birkett [7876]

**Summary:**

In 2022 with Catja de Haas I undertook a comprehensive review of the stalled Southern Gateway Masterplan. Our plan increased by 70% the total end space added, additional uses, created car free neighbourhoods; pedestrian and cycle routes through the city and more than doubled the completed development value.

We presented our plan to over 100 elected representatives of CDC and Chichester Society, Chichester University, Chichester College. Our proposals met with unanimous support.

We support CDC on Southern Gateway but focus must be given on delivery, higher value, more community uses and a greener solution.

**Full text:**

In 2022 with Catja de Haas I undertook a comprehensive review of the stalled Southern Gateway Masterplan. Our plan increased by 70% the total end space added, additional uses, created car free neighbourhoods; pedestrian and cycle routes through the city and more than doubled the completed development value.

We presented our plan to over 100 elected representatives of CDC and Chichester Society, Chichester University, Chichester College. Our proposals met with unanimous support.

We support CDC on Southern Gateway but focus must be given on delivery, higher value, more community uses and a greener solution.

**Change suggested by respondent:**

This plan focuses on only two sites in Kingsham Road. The masterplan should include Bus Station and Depot, CDC adjacent car park, Railtrack land, Royal Mail, Basin Edge, The Law Courts in order that when these become available a strategic approach is in place. Chichester lacks uses that can be incorporated within a larger Southern Gateway. An innovation centre, music venue, 750 homes, a green pathway for pedestrians and cyclists through the city, 5\* Hotel with restaurants spilling on basin edge and an office development around a courtyard on the Bus station site for WSCC, CDC, Sussex Police, Fire authority and Chichester Medical centre. All located on one site

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:**

Southern Gateway\_Summary CdeH Mendip Capital.pdf - <https://chichester.oc2.uk/a/ssf>

## Object

---

**Document Element:** Spatial strategy, 3.9

**Respondent:** Elizabeth Lawrence Ltd (Mrs Elizabeth Lawrence, Planner) [906]

**Summary:**

The strategic housing locations all place a huge reliance on Chichester and the A27 ring road. The Council should wait until they know of funding can be raised for various improvements to the A27 ring road and whether the new climate Change flood risk map is sound. Then an informed assessment can be made regarding the more sustainable locations for development. In particular The Wittering's have the potential to be made more sustainable and less reliant on Chichester.

**Full text:**

The The strategic housing locations all place a huge reliance on Chichester and the A27 ring road. The Council should wait until they know of funding can be raised for various improvements to the A27 ring road and whether the new climate Change flood risk map is sound. Then an informed assessment can be made regarding the more sustainable locations for development. In particular The Wittering's have the potential to be made more sustainable and less reliant on Chichester.

**Change suggested by respondent:**

The Draft plan is premature and so should be held until the A27 improvements are agreed and the climate change flood risk assessment has been scrutinised.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

---

**Document Element:** Spatial strategy, 3.9

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Chichester City has more brownfield sites than other areas and yet only 270 houses are planned for the City Centre area and upwards of 2000 in rural locations. The Southern Gateway project plans for leisure and retail when those facilities in the city are dying. There is a very clear need to rethink the distribution of housing and use more brownfield sites in the city to reduce the dependence on cars.

**Full text:**

Chichester City has more brownfield sites than other areas and yet only 270 houses are planned for the City Centre area and upwards of 2000 in rural locations. The Southern Gateway project plans for leisure and retail when those facilities in the city are dying. There is a very clear need to rethink the distribution of housing and use more brownfield sites in the city to reduce the dependence on cars.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Object

**Document Element:** Spatial strategy, 3.10

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

The Local Plan is not positively prepared as it does not fully take into account the acknowledged and unacknowledged need of the horticultural industry to develop functionally linked development in proximity to existing horticultural operations.

**Full text:**

Chichester has a highly constrained commercial property market that has an extremely low vacancy rates, along with generally high rents. This is recognised within the Council's evidence base, with the 2022 HEDNA describing the district's commercial property market as 'extremely undersupplied'. It is not considered that the employment allocations proposed within the Local Plan will address this substantial unmet need and indeed a number of the employment land allocations are not preferentially sited relative to the Runcton HDA.

This undersupply of commercial property, taking account of the allocation and the trajectory of delivery and availability of premises at Land south of Bognor Road, is likely to continue to have a significant impact upon the ability of the Chichester food cluster to meet the industry's requirement for functionally linked commercial premises that are necessary to maintain competitiveness. This requirement for functionally linked operations such as R&D, storage and distribution and office space is detailed in a number of industry reports.

**Change suggested by respondent:**

In order to remedy the undersupply of commercial property within the district, and ensure that the Chichester food cluster continues to provide economic growth and job creation, The Council should allow for the siting of functionally linked developments within the Runcton HDA. This is currently prohibited by the wording of draft Policy E4 which only allows for ancillary developments rather than the suite of development uses required to support a world class food cluster. This would provide investors and businesses with the certainty required to continue to invest within the Chichester District. Furthermore, the colocation of such developments would provide a range of benefits associated with agglomeration including reduced costs, reduced greenhouse gas emissions and increased innovation arising from knowledge spillovers.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sch>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/swc>

## Object

**Document Element:** Spatial strategy, 3.14

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

Not legally compliant because it is incompatible with the Sustainability Assessment, P90, which warned of the risk of "over-development". 1,300 homes is not compatible with the neighbourhood plan for 1,000 homes. Tangmere Parish Council stated that there were 1,156 dwellings in the village so it is unjustified to increase housing by in excess of 100% in one village. Not sound to consider a 30% increase from 1,000 to 1,300 new dwellings because this represents an over-development through an excessive concentration in a single location to absorb 13%, or 1 in 8 new homes for the entire Chichester District, and represents an existential threat to Saxon Meadow.

CDC's 2015 local plan (para 12.58) and it incompatible with the post examination Tangmere Neighbourhood plan (para 1.5)

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate

2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergencV'
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity'
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversitV'
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
- 9, P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid rood damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
- 17, P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11:Conservation Areas "protecting the setting (including views into and out of the area)"
- 23, P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

#### Change suggested by respondent:

Amend the plan as follows

3.14 Outside Chichester city and its closest settlements, development will focus on the two settlement hubs (see Policy S2) within the east-west corridor at Tangmere and Southbourne. New development will consider whether and how the role of these settlement hubs as centres providing a range of dwellings, workplaces, social and community facilities provides economic, social and environmental benefits over and above the retention of land for agriculture, or to address unmet demand for viticulture or horticulture. Retail development of an appropriate scale will be supported to promote the vitality and viability and enhance provision at Southbourne and Tangmere centres

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

**Object**

**Document Element:** Spatial strategy, 3.14

**Respondent:** Richard Hedgecock [8159]

**Summary:**

There is 'over development' as stated in the sustainability assessment (p90) which makes the Local Plan not legally compliant. Tangmere Parish Council has the figure of [unclear] houses in the village of Tangmere as a whole at 1156. The sheer number of proposed houses (increased to 1300) is disproportionate and excessive - it will increase the number of houses in one area by over double. This is an overdevelopment and not in keeping or sympathetic with an area which has conservation status.

**Full text:**

See attached representations

**Change suggested by respondent:**

Reduce the number of houses so that the density is significantly lowered and is not concentrated in one area to 'dwarf' existing houses at Saxon Meadow.

**Legally compliant:** No

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Representation from Richard Hedgecock - redacted - <https://chichester.oc2.uk/a/sz8>

## Object

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**Document Element:** Spatial strategy, 3.15

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

in respect of tangmere this contradicts a previous comment that the village lacks many facilities normally associated with a village of that size

**Full text:**

in respect of tangmere this contradicts a previous comment that the village lacks many facilities normally associated with a village of that size

**Change suggested by respondent:**

Ensure plan doesn't contradict itself and reduce housing in a village where everyone will have to travel to most services

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

---

**Document Element:** Spatial strategy, 3.15

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

You state "...Tangmere is a settlement hub with a good range of local facilities ..."

This is in contradiction to an earlier statement that "Tangmere ... currently lacks many of the amenities and services normally associated with a settlement of its size..."

"...this plan brings forward an additional 300 dwellings to add to the 1000 allocated ...in the previous Local Plan."

Then go on to say "...the supporting structure includes a new primary school and community facilities."

This is a complete whitewashing of the infrastructure and facilities required to even build 1000 dwellings let alone a further 300.

**Full text:**

You state ...Tangmere is a settlement hub with a good range of local facilities ...

This is in contradiction to an earlier statement that Tangmere ... currently lacks many of the amenities and services normally associated with a settlement of its size...

...this plan brings forward an additional 300 dwellings to add to the 1000 allocated ...in the previous Local Plan.

Then go on to say ...the supporting structure includes a new primary school and community facilities.

This is a complete whitewashing of the infrastructure and facilities required to even build 1000 dwelling let alone a further 300.

**Change suggested by respondent:**

This should be corrected and the additional 300 dwellings removed due to complete lack of justification regarding the supporting infrastructure.

The statement that Tangmere has a good range of local facilities should be removed and replaced by the original assertion that it currently lacks the amenities and services normally associated with a settlement of its size.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

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## Object

---

**Document Element:** Spatial strategy, 3.18

**Respondent:** Elizabeth Lawrence Ltd (Mrs Elizabeth Lawrence, Planner) [906]

**Summary:**

These settlements are very small and the proposed allocations will simply place more reliance on car use and congestion along the A27

**Full text:**

These settlements are very small and the proposed allocations will simply place more reliance on car use and congestion along the A27

**Change suggested by respondent:**

These allocations should be removed and more reliance should be placed on settlement hubs outside Chichester.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

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## Object

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**Document Element:** Spatial strategy, 3.18

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Neither Hambrook, Nutbourne or Bosham are capable of accomodating growth of 600. The expansion of these villages is not matched by an increase in infrastructure. They are no more capable of it than Fishbourne, with just as many constraints.

**Full text:**

Neither Hambrook, Nutbourne or Bosham are capable of accomodating growth of 600. The expansion of these villages is not matched by an increase in infrastructure. They are no more capable of it than Fishbourne, with just as many constraints.

**Change suggested by respondent:**

Reduce the number of housing in these A259 corridor villages.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

---

**Document Element:** Spatial strategy, 3.18

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Nutbourne and Hambrook do not function as one service village. Along with Bosham this area is not capable of accommodating growth of this magnitude. All sites available have severe restrictions which have not been taken into account; they are on good quality agricultural land,, in wildlife corridors or within the setting of the AONB. To build this large scale housing will be contrary to many other policies. To build such large scale housing it will be contrary to many other policies.

**Full text:**

Nutbourne and Hambrook do not function as one service village. Along with Bosham this area is not capable of accommodating growth of this magnitude. All sites available have severe restrictions which have not been taken into account; they are on good quality agricultural land,, in wildlife corridors or within the setting of the AONB. To build this large scale housing will be contrary to many other policies. To build such large scale housing it will be contrary to many other policies.

**Change suggested by respondent:**

A reclarification of Nutbourne and Hambrook as a genuinely poorly served service village.  
Reduce the allocated housing for Bosham and Nutbourne and Hambrook commensurate with Fishbourne.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

---

**Document Element:** Spatial strategy, 3.18

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Nutbourne and Hambrook is highly sustainable with a very good bus service and having a train station. Previous analysis demonstrated it could accommodate 500 dwellings and the figure has been reduced to 300 SOLELY due to local political pressure - this is not a sound approach when the council is trying to argue a reduced housing figure

**Full text:**

Nutbourne and Hambrook is highly sustainable with a very good bus service and having a train station. Previous analysis demonstrated it could accommodate 500 dwellings and the figure has been reduced to 300 SOLELY due to local political pressure - this is not a sound approach when the council is trying to argue a reduced housing figure

**Change suggested by respondent:**

increase allocation in Nutbourne and Hambrook to 500

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.18

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

"Land at Highgrove Farm, east of Broadbridge, Bosham is allocated in the Site Allocation DPD 2014 - 2029 for 50 dwellings." This planning application has lapsed. Shouldn't the allocation of 50 dwellings be deleted, to be replaced by a proposed allocation for 295 dwellings?

**Full text:**

"Land at Highgrove Farm, east of Broadbridge, Bosham is allocated in the Site Allocation DPD 2014 - 2029 for 50 dwellings." This planning application has lapsed. Shouldn't the allocation of 50 dwellings be deleted, to be replaced by a proposed allocation for 295 dwellings?

**Change suggested by respondent:**

Policy A11 to allocate 295 dwellings to Bosham - as much as I disagree with the Policy, let's at least make sure we're talking about the same thing here.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.18

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

I object to the allocation of all of the houses to one site in Bosham. The reasons to justify this decision appear to conflict with the NPPF and other adopted policies.

**Full text:**

I object to the allocation of all of the houses to one site in Bosham. The reasons to justify thsi decisions appear to conflict with the NPPF and other adopted policies.

**Change suggested by respondent:**

25-30 units should be allocated to HBO0003

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.19

**Respondent:** Mr simon urry [7840]

**Summary:**

The 'service villages' of Boxgrove and Westbourne both sit on the A27 and could be developed towards the main road without impinging on open countryside.

**Full text:**

The 'service villages' of Boxgrove and Westbourne both sit on the A27 and could be developed towards the main road without impinging on open countryside.

**Change suggested by respondent:**

The emphasis on developing Chichester and the surrounding A27 corridor is clear in intent, but is not carried through at every opportunity. Actual proposed development should more closely reflect the stated aim.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Spatial strategy, 3.19

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

We are pleased to see the South Downs National Park referenced in paragraph 3.19 and 3.21, particularly highlighting the area north of the A27 in provide a transition to the South Downs National Park.

**Full text:**

See attached representation.

**Change suggested by respondent:**

We advise that these paragraphs would benefit from acknowledging the setting of the South Downs National Park as a consideration in these areas.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Support

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**Document Element:** Spatial strategy, 3.19

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Support in principle.

**Full text:**

Important areas of countryside / landscape should be identified in the plan and protected from development by an appropriate policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Spatial strategy, 3.19

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Paragraph is supported subject to our comments made in respect of paragraph 1.20 and the identification of important areas of countryside (see comments in respect of Objective 5) and the need to sustain and evolve business and environmental interests to the north of the A27.

**Full text:**

Important areas of countryside / landscape should be identified in the plan and protected from development by an appropriate policy.

**Change suggested by respondent:**

Important areas of countryside / landscape should be identified in the plan and protected from development by an appropriate policy.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None



## Support

**Document Element:** Spatial strategy, 3.20

**Respondent:** Mr Joseph O'Sullivan [35]

**Summary:**

Need affordable and social housing on Manhood Peninsula.

**Full text:**

Need affordable and social housing on Manhood Peninsula

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.20

**Respondent:** Mrs Clare Gordon-Pullar [7010]

**Summary:**

The statement that there are issues with the A27 junction is not correct. There may be queues at peak times but generally the traffic flows freely and benefits from there being a roundabout at the Stockbridge junction as it can travel in any direction rather than being forced to turn left as is proposed.

**Full text:**

The statement that there are issues with the A27 junction is not correct. There may be queues at peak times but generally the traffic flows freely and benefits from there being a roundabout at the Stockbridge junction as it can travel in any direction rather than being forced to turn left as is proposed.

**Change suggested by respondent:**

The proposed strategic changes to the A27 which were rejected by Chichester residents during the Highways Agency consultation should not be put forward by the District Council and should be removed.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.20

**Respondent:** Elizabeth Lawrence Ltd (Mrs Elizabeth Lawrence, Planner) [906]

**Summary:**

The Manhood Peninsular has not been explored sufficiently regarding its development potential. Recent talks about funding the A27 Stockbridge roundabout from development are on-going and the background papers and models relating to the recent Climate change flood risk maps have not been made available to the public for scrutinising and testing.

**Full text:**

The Manhood Peninsular has not been explored sufficiently regarding its development potential. Recent talks about funding the A27 Stockbridge roundabout from development are on-going and the background papers and models relating to the recent Climate change flood risk maps have not been made available to the public for scrutinising and testing.

**Change suggested by respondent:**

The spatial strategy should be put on hold until the potential for upgrading the A27 Stockbridge roundabout from developer contributions has been decided and the flood risk maps have been subject to public comment. At that stage the most sustainable options for the District can be established.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Document Element:** Spatial strategy, 3.20

**Respondent:** Manhope (Mr Carey Mackinnon) [8125]

**Summary:**

Chichester District Council has, quite rightly in our opinion, placed no demands for further large developments in the WMP apart from windfall sites. In our opinion even these should NOT be approved until the caveats shown in our Conclusion are implemented.

**Full text:**

Manhope is a local interest group and represents more than 500 residents and users of the Western part of the Manhood Peninsula (WMP); the part of the district at greatest risk from climate, travel and infrastructure challenges.

Our sole purpose is to protect the unique character of the Western Manhood Peninsula by opposing inappropriate and unsustainable large building developments before the necessary infrastructure is actually in place.

We are not sufficiently au fait with the policies to be able to use the clause by clause "speech bubble" approach to comment. Therefore, our response is by way of email as suggested by our MP, Gillian Keegan in her letter to residents in February this year.

We understand that only three topics are open for comment in respect of the proposed Local Plan submission.

1. Is the submission legally compliant?
2. Is the submission 'sound'?
3. Does the submission comply with the Duty to Cooperate?

We are not qualified to comment on either 1. or 2. so these comments will address the question of whether the proposed submission is sound.

Chichester District Council has, quite rightly in our opinion, placed no demands for further large developments in the WMP apart from windfall sites. In our opinion even these should NOT be approved until the caveats shown in our Conclusion are implemented.

The following subjects have been well aired so we will not dwell on them in great detail but will summarise them as follows.

Transport.

The transport network serving the CDC area is already unable to cope at peak times and groaning at most other times. The A27 frequently gets headline recognition and from a strategic national point of view rightly so. The various arguments are again well rehearsed elsewhere especially from other local interest groups such as MPAG, SOSCA and the Harbour Trust and we support their submissions in this respect.

It is sufficient for us to say that if it was recognised that mitigating measures were required to cater for the huge increase in developments then it follows that the absence of such mitigation should halt completely such development. That is just pure logic.

Everyone who lives, works, uses or visits the WMP knows that having left behind the A27 they have not left behind the traffic problems. The obverse has become the "new norm" with the most minor hold up, such as refuse lorry, slow moving device or minor road works causing substantial delays and queues sometimes up to eighty vehicles long

The system whereby WSCC highways review the impact of planning applications is dysfunctional.

This is evidenced by WSCC highways department being unable to provide accurate feedback to the LPA as to the ACCUMULATIVE impact of very large developments.

The modelling simply does not allow it and there is no scope for actual local experience or common sense. In not one case of over twenty applications for ten or more houses have they even flagged a cautionary note about this accumulative impact.

For example many - actually most - accidents are not reported so the West Sussex Accident Location Map so this source often used by planners and developers to demonstrate how safe our local roads are, is dangerously misleading. Many life changing injuries have been sustained and known about by local people in the WMP but virtually none of these appear in "formal records"

Flooding.

Because of the low lying and vulnerable southern part of the district the findings and implications of the CDC Level 1 Interim Strategic Flood Risk Assessment (December 2022) need to be fully understood by parishes, councillors and local residents before comments of any real value can be made. We asked five elected or formally appointed local

representatives and not one felt they had a full grasp of the SFRA's implications and only one had a fair understanding.

We do know that the risk of significant flooding has increased. We also know that even before the SFRA was published the West Sussex County Council Lead Local Flood Authority gave a thumbs down to two of the large applications B 21/01830/OUT in Birdham and EWB22/02214/FULEIA.

CDC have recognised that the Manhood Peninsula has specific challenges including flood risk hence the zero requirement for housing in the WMP. In this respect we think the submission is probably just sound enough and hope that this approach filters through to decisions for applications yet to be determined.

However, to be certain of real soundness the work needs to be completed BEFORE implementation. Please see our notes under "Conclusion" Sewage.

There can be no doubt that this subject must impact whether the submission is sound or not. The arguments are complex and lengthy but two basic simple facts remain.

1. The main sewage plant for the Manhood Peninsula is Southern Waters Siddlesham WWTW. This plant is a couple of metres AOD and yet planners, the EA and developers argue as to whether four or five meters is an appropriate floor level on new developments. Hardly a sound approach when the treatment works will have been inundated well before even a three metre threshold will have been reached. One example of these discussions can be seen at E 22/03125/OUT for 100 houses

2. Southern Water have a policy of deploying large road tankers when heavy rain is forecast to standby local sewage points as there is a high risk of the system being overwhelmed. Frequently the drivers have to stay in their cabs all night.

Yet Southern Water are obliged to advise the LPA that they can deal with the additional load from huge new developments. Neither CDC nor the Inspector can solve the sewerage infrastructure issues but the above facts raise serious doubt as to the soundness of the submission. Please see our further notes under "Conclusion"

Conclusion.

Manhope recognise the real imperative of having a local plan in place and is appalled that the system has resulted in a colossal amount of work for the LPA and yet still a disastrous delay in getting this in place let alone full and proper consultation with parishes and local people. Further delay in the submission of the local plan is therefore wholly unacceptable so our uncomfortable is that the submission, whilst barely sound, is as sound as it can be and should go forward BUT with some very clear caveats. Our suggestion for these are shown below.

A. No new developments of ten or more dwellings shall be commenced until suitable mitigating road improvements to the A27 are in place.

B. No new developments of five or more dwellings shall be approved by the LPA until the following reports, work and maps have been completed and due consultation has taken place with residents & parishes, (in line with the latest government approach to restoring local democracy).

a. Environment Agency flood maps based on the Interim SFRA (December 2022) have been completed.

b. Sewage infrastructure work as yet unknown in Southern Waters upcoming Asset Management Period to be in place before any development of 5 or more dwellings are approved.

c. Full and proper engagement with NHS as to practical limits on health demands as a result of new housing developments especially on the Manhood Peninsula. NHS's advice was ignored by CDC and a planning inspector for a 70 house development (WW/20/02491/OUT) so they have not responded to further consultation requests. Vis EWB 22/02235/OUT and EWB 22/02214. This cannot be allowed to happen again.

C. Insert a policy in the submission that CDC planning reserve the right to apply their discretion in planning decisions when consultees provide advice that is contrary to public and parish experience. ie Where formally submitted local and Parish advice given in their written response to planning applications is not aligned to other consultees then take the Parishes advice. To avoid using this discretion is not consistent with exercising a duty of care.

D. A policy written in the final submission to assemble a consortium of stakeholders to conduct a full survey as to the condition of Pagham Harbour. The scope would cover impacts on marine and land-based environments from chemical, micro plastic and sewage contamination of the harbour and it's immediate coastline. Stakeholders would include Natural England, Environment Agency, CDC, Southern Water and the R.S.P.B. It is highly likely that Pagham Harbour is traveling a parallel downward path as Chichester Harbour in terms of condition but no stakeholders are paying this anything like the attention it deserves.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Manhope Response to Local Plan Submission - <https://chichester.oc2.uk/a/shv>

## Support

**Document Element:** Spatial strategy, 3.20

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Support.] We support that the Plan does not include any strategic allocations on the Manhood because all traffic from the peninsular ultimately joins or crosses the A27. The A27 is also the main route for tourism traffic to Bognor Regis. We will continue to work with WSCC on this highway matter.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

### Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are

interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
  - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is

available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

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**Document Element:** Spatial strategy, 3.21

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

This paragraph, as currently drafted, does not correctly orientate The North of the Plan Area with the South Downs National Park (SDNP) and should therefore be corrected. The North of the Plan Area is both North and East of the SDNP boundary.

**Full text:**

This paragraph, as currently drafted, does not correctly orientate The North of the Plan Area with the South Downs National Park (SDNP) and should therefore be corrected. The SDNP is both North and East of the SDNP boundary.

**Change suggested by respondent:**

The suggested alternative wording is:

“The north of the plan area covers those parts of Chichester District which lie north AND EAST of the South Downs National Park boundary. This includes Loxwood Parish and most of the parishes of Kirdford, Plaistow and Ifold, and Wisborough Green, together with a small part of Lynchmere Parish close to the Surrey border around the villages of Camelsdale and Hammer.”

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Spatial strategy, 3.22

**Respondent:** Mrs ALISON REDFORD [7803]

**Summary:**

Increasing Loxwood's housing by a further 220, on top of substantial building in recent years, would not be conserving the rural character of this area. Why should all the housing be dumped in the North? Our village facilities have decreased since September 2022 with the closure of the village stores and post office.

**Full text:**

Increasing Loxwood's housing by a further 220, on top of substantial building in recent years, would not be conserving the rural character of this area. Why should all the housing be dumped in the North? Our village facilities have decreased since September 2022 with the closure of the village stores and post office.

**Change suggested by respondent:**

This should not be to the detriment of the current village character in Loxwood.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None



**Document Element:** Spatial strategy, 3.22

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

However, the statement of fact and the key conclusion lacks adequate specification - WG lacks 'Landscape Capacity'. The LP Review includes the Landscape Capacity Study that includes the NE Parishes. The assessment for WG correctly determines the sensitivity to be High and the Capacity for development is Low; specific conclusions assert that there is limited scope for development outside the existing Settlement Area. The report gives a clear indication that high scale growth would be a loss of important rural landscape and countryside; whilst defining 'high scale' could be subjective, development that adds double-digit inflation of housing numbers should qualify.

**Full text:**

However, the statement of fact and the key conclusion lacks adequate specification - WG lacks 'Landscape Capacity'. The LP Review includes the Landscape Capacity Study that includes the NE Parishes. The assessment for WG correctly determines the sensitivity to be High and the Capacity for development is Low; specific conclusions assert that there is limited scope for development outside the existing Settlement Area. The report gives a clear indication that high scale growth would be a loss of important rural landscape and countryside; whilst defining 'high scale' could be subjective, development that adds double-digit inflation of housing numbers should qualify.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.22

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

However, the statement of fact and the key conclusion lacks adequate specification - WG lacks 'Landscape Capacity'. The LP Review includes the Landscape Capacity Study that includes the NE Parishes. The assessment for WG correctly determines the sensitivity to be High and the Capacity for development is Low; specific conclusions assert that there is limited scope for development outside the existing Settlement Area. The report gives a clear indication that high scale growth would be a loss of important rural landscape and countryside; whilst defining 'high scale' could be subjective, development that adds double-digit inflation of housing numbers should qualify.

**Full text:**

However, the statement of fact and the key conclusion lacks adequate specification - WG lacks 'Landscape Capacity'. The LP Review includes the Landscape Capacity Study that includes the NE Parishes. The assessment for WG correctly determines the sensitivity to be High and the Capacity for development is Low; specific conclusions assert that there is limited scope for development outside the existing Settlement Area. The report gives a clear indication that high scale growth would be a loss of important rural landscape and countryside; whilst defining 'high scale' could be subjective, development that adds double-digit inflation of housing numbers should qualify.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Spatial strategy, 3.22

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Justification provided by CDC for the selected Spatial Strategy in relation to the North of the Plan Area (NAP) is difficult to follow and it fails to effectively justify CDC's decision to look to Kirdford for additional housing. It states that "Conserving the rural character of the area, with its high quality landscape and environment is a key objective" yet this is not the actual Strategic Objective of the Local Plan, therefore what exactly is the Local Plan referring to here? Do not see where there is an "identified need" set out in evidence for additional housing need in Kirdford.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Support

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**Document Element:** Spatial strategy, 3.23

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement but highlights that there is very limited sport provision is provided in WG and is reliant upon volunteer support to run clubs. Many, of all age groups, already look for different leisure opportunities outside the village. Increasing provision in the village is an unrealistic aspiration as there is no space; the recreation area in the village centre is a registered village green, in the centre of the Conservation Area.

**Full text:**

WGPC supports this statement but highlights that there is very limited sport provision is provided in WG and is reliant upon volunteer support to run clubs. Many, of all age groups, already look for different leisure opportunities outside the village. Increasing provision in the village is an unrealistic aspiration as there is no space; the recreation area in the village centre is a registered village green, in the centre of the Conservation Area.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Spatial strategy, 3.23

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement but highlights that there is very limited sport provision is provided in WG and is reliant upon volunteer support to run clubs. Many, of all age groups, already look for different leisure opportunities outside the village. Increasing provision in the village is an unrealistic aspiration as there is no space; the recreation area in the village centre is a registered village green, in the centre of the Conservation Area.

**Full text:**

WGPC supports this statement but highlights that there is very limited sport provision is provided in WG and is reliant upon volunteer support to run clubs. Many, of all age groups, already look for different leisure opportunities outside the village. Increasing provision in the village is an unrealistic aspiration as there is no space; the recreation area in the village centre is a registered village green, in the centre of the Conservation Area.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

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**Document Element:** Spatial strategy, 3.23

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Whilst the definition of the term 'larger villages' is not specified, any claim of WG offering 'a range of local facilities and play an important role in providing services to their local communities' is not the case; WG has three pubs (one closed) and a village shop, solely used for top-up purchases. The community facilities rely upon volunteers and recruitment to support village facilities is becoming increasing difficult.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Whilst the definition of the term 'larger villages' is not specified, any claim of WG offering 'a range of local facilities and play an important role in providing services to their local communities' is not the case; WG has three pubs (one closed) and a village shop, solely used for top-up purchases. The community facilities rely upon volunteers and recruitment to support village facilities is becoming increasing difficult.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.23

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Whilst the definition of the term 'larger villages' is not specified, any claim of WG offering 'a range of local facilities and play an important role in providing services to their local communities' is not the case; WG has three pubs (one closed) and a village shop, solely used for top-up purchases. The community facilities rely upon volunteers and recruitment to support village facilities is becoming increasingly difficult.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Whilst the definition of the term 'larger villages' is not specified, any claim of WG offering 'a range of local facilities and play an important role in providing services to their local communities' is not the case; WG has three pubs (one closed) and a village shop, solely used for top-up purchases. The community facilities rely upon volunteers and recruitment to support village facilities is becoming increasingly difficult.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object**

**Document Element:** Spatial strategy, 3.24

**Respondent:** Mrs ALISON REDFORD [7803]

**Summary:**

There are also constraints in the North particularly on the A281 and no reference has been made to this. What about conserving the rural character of Loxwood?

**Full text:**

There are also constraints in the North particularly on the A281 and no reference has been made to this. What about conserving the rural character of Loxwood?

**Change suggested by respondent:**

It should be recognised that there are also constraints in the North particularly along the A281 and this additional housing will further add to this.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object**

**Document Element:** Spatial strategy, 3.24

**Respondent:** Mr simon urry [7840]

**Summary:**

There may well be constraints on the A27, but there are also substantial constraints elsewhere. The Wisborough Green fresh water provision is marginal and sewerage and waste water capabilities are stretched, regularly fail and are easily over-run, with even relatively little rainfall giving rise to numerous manhole covers issuing fountains of dilute sewage and leaving tell-tale piles of soggy toilet paper etc. along the road on which the primary school is located amongst other places. Stating higher levels were considered is not helpful, particularly when it is apparent that not all options were fully reviewed for the A27.

**Full text:**

The plan should say it will rigorously pursue its stated objective of developing urban areas and the A27 corridor. This should include positive plans to overcome or at least mitigate the constraints on the A27 and not just push the problem elsewhere. If the A27 is the problem.... fix it.

**Change suggested by respondent:**

The plan should say it will rigorously pursue its stated objective of developing urban areas and the A27 corridor. This should include positive plans to overcome or at least mitigate the constraints on the A27 and not just push the problem elsewhere.

If the A27 is the problem.... fix it.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Spatial strategy, 3.24

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

There should be an equal commitment to conserving the special character of those sites close to Chichester Harbour. The area between the SDNP and AONB is very special and needs conserving too. Not to do so is contrary to Climate Change and Environment policies.

**Full text:**

There should be an equal commitment to conserving the special character of those sites close to Chichester Harbour. The area between the SDNP and AONB is very special and needs conserving too. Not to do so is contrary to Climate Change and Environment policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.24

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Attempts to explain that the due to the constraints on the A27 in the south of the plan area, that a "moderate level of growth in the north to help make up the overall shortfall of dwellings". However it does not state what the "constraints on the A27" actually are. It does not set explain what the "overall shortfall of dwellings" is due to the "constraints on the A27".

**Full text:**

See attachment.

**Change suggested by respondent:**

Clarify shortfall

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

## Support

**Document Element:** Spatial strategy, 3.25

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

We endorse the strategic approach to housing allocation and the proposal that Plaistow and Ifold should accommodate a maximum of 25 new dwellings on sites to be identified in a neighbourhood planning exercise.

We consider this number to be properly assessed, given the capacity of this isolated rural community.

In anticipation that responses to the Regulation 19 consultation may raise alternatives to the strategy, we wish to make further points to explain why we consider its approach to be justified.

**Full text:**

We endorse the strategic approach to housing allocation and the proposal that Plaistow and Ifold should accommodate a maximum of 25 new dwellings on sites to be identified in a neighbourhood planning exercise. We consider this number to be properly assessed, given the capacity of this isolated rural community. In anticipation that responses to the Regulation 19 consultation may raise alternatives to the strategy, we wish to make further points to explain why we consider its approach to be justified.

THIS IS A SUMMARY OF THE PARISH COUNCIL'S COMMENT - PLEASE REFER TO THE SUPPORTING DOCUMENTS FOR FULL DETAILS THANKYOU

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Plaistow and Ifold Parish Council\_CLP Reg 19\_Appendix \_Prestige Alternative Finance Impairment document.pdf - <https://chichester.oc2.uk/a/s5t>  
Local Plan Reg 19 Consultation Response\_Plaistow and Ifold Parish Council \_Redacted - <https://chichester.oc2.uk/a/trg>

## Object

**Document Element:** Spatial strategy, 3.25

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking to understand impacts.] We acknowledge that the Plan has ruled out high growth in Kirdford, Wisborough Green and Plaistow and Ifold, but seek to understand the impacts and mitigation measures associated with the A27.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable

development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queuing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the

current national shortage of housing. The NPPF is very clear that:

“Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the ‘Strategic road network and the delivery of sustainable development’ (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country’s transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.



We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Spatial strategy, 3.25

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Distribution of housing to Northern Plan Area (Kirdford and Wisborough Green) is based on flawed assumptions regarding capacity of the A27. These locations are not well served by existing facilities and amenities and are sequentially less sustainable than locations in Southern Plan Area where A27 capacity is presented as only relevant constraint to increased/additional allocations. The additional numbers that have been added to Northern Plan Area at this late stage are unnecessary given the comments at paragraphs 5.6.5 and 11.2.3 of Stantec Transport Study, which confirm that capacity exists for up to 700 dwellings per annum in the Southern Plan Area. Proposed approach does not deliver the most sustainable distribution of development.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

## Object

**Document Element:** Spatial strategy, 3.26

**Respondent:** Mrs ALISON REDFORD [7803]

**Summary:**

Public transport for Loxwood is totally inadequate and has not improved even with the huge amount of additional housing in recent years.

**Full text:**

Public transport for Loxwood is totally inadequate and has not improved even with the huge amount of additional housing in recent years.

**Change suggested by respondent:**

No specific changes to be made.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.26

**Respondent:** Mr James Jewell [6721]

**Summary:**

It is illogical to plan for increased housing predicated on only exploring the possibilities of remedying the obstacles, notably transport. It is particularly illogical to plan social housing in a location of zero local employment prospects and car dependency. The additional housing requires expanded capacity in the local school. Is the education authority committed to that?

**Full text:**

It is illogical to plan for increased housing predicated on only exploring the possibilities of remedying the obstacles, notably transport. It is particularly illogical to plan social housing in a location of zero local employment prospects and car dependency. The additional housing requires expanded capacity in the local school. Is the education authority committed to that?

**Change suggested by respondent:**

Not to commit to additional housing until concrete plans have been made to remove obstacles and accommodate expansion of relevant services.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Spatial strategy, 3.26

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. 'Opportunities should also be explored' and 'presents an opportunity to explore' are weak statements and provide no justification or support to additional housing development within WG or the north-eastern parishes; they elicit no confidence that improvements will be made.

It is an almost incontrovertible fact that any development in the northern-eastern parishes will be reliant upon the private car.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. 'Opportunities should also be explored' and 'presents an opportunity to explore' are weak statements and provide no justification or support to additional housing development within WG or the north-eastern parishes; they elicit no confidence that improvements will be made.

It is an almost incontrovertible fact that any development in the northern-eastern parishes will be reliant upon the private car.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.26

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. 'Opportunities should also be explored' and 'presents an opportunity to explore' are weak statements and provide no justification or support to additional housing development within WG or the north-eastern parishes; they elicit no confidence that improvements will be made.

It is an almost incontrovertible fact that any development in the northern-eastern parishes will be reliant upon the private car.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. 'Opportunities should also be explored' and 'presents an opportunity to explore' are weak statements and provide no justification or support to additional housing development within WG or the north-eastern parishes; they elicit no confidence that improvements will be made.

It is an almost incontrovertible fact that any development in the northern-eastern parishes will be reliant upon the private car.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.26

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

The suggestion that Kirdford should access its services and facilities from Dunsfold Park which is over 10 miles away and a 20 minute drive away and not yet built is a very considerable stretch by CDC to attempt to justify proposing development at Kirdford.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

**Document Element:** Spatial strategy, 3.27

**Respondent:** Mrs ALISON REDFORD [7803]

**Summary:**

Loxwood only has a butchers and hairdressers since the village stores and post office closed in September 2022. There is also a woodstove shop .The medical practice which also serves all the surrounding villages is already at capacity. The primary school is also at capacity since the closure of Kirdford Junior school. The Onslow Arms pub is a welcome addition to the village. Loxwood should not have to accommodate a further 220 houses after huge development in recent years. The 2021 census shows Loxwood as having a population of 1597 and it is now being overdeveloped.

**Full text:**

Loxwood only has a butchers and hairdressers since the village stores and post office closed in September 2022. There is also a woodstove shop .The medical practice which also serves all the surrounding villages is already at capacity. The primary school is also at capacity since the closure of Kirdford Junior school. The Onslow Arms pub is a welcome addition to the village. Loxwood should not have to accommodate a further 220 houses after huge development in recent years. The 2021 census shows Loxwood as having a population of 1597 and it is now being overdeveloped.

**Change suggested by respondent:**

3.27 needs to be removed.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.27

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Loxwood is not sustainable for that amount of growth and there will be travel out of the village for work.

**Full text:**

Loxwood is not sustainable for that amount of growth and there will be travel out fo the village for work.

**Change suggested by respondent:**

Reduce Loxwood allocation

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.27

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Distribution of housing to Northern Plan Area (Loxwood) is based on flawed assumptions regarding capacity of the A27. These locations are not well served by existing facilities and amenities and are sequentially less sustainable than locations in the Southern Plan Area, where A27 capacity is being presented as only relevant constraint to increased/additional allocations. This is unnecessary given additional capacity in the A27 as outlined at paragraphs 5.6.5 and 11.2.3 of the report. For this reason, Spatial Strategy is not properly 'justified' and consequently the draft Plan is unsound.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

## Object

**Document Element:** Spatial strategy, 3.28

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

The Local Plan should be protecting the countryside across the district, not only in the northern wards. Chichester Harbour needs protecting and the rural villages south of the Plan area. There seems to be an imbalance here.

**Full text:**

The Local Plan should be protecting the countryside across the district, not only in the northern wards. Chichester Harbour needs protecting and the rural villages south of the Plan area. There seems to be an imbalance here.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Spatial strategy, 3.28

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement

**Full text:**

WGPC supports this statement

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Spatial strategy, 3.29

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Key Diagram has a number of deficiencies: Key Diagram map titled "North East of Plan Area" is referred to in Local Plan as 'North of the Plan Area' (the area that includes Kirdford, Wisborough Green, Plaistow & Ifold, and Loxwood) which creates confusion to the reader when comparing with Paragraph 1.9 of the Local Plan ('How to Use the Plan'). The Legend includes SAC yet neither the Ebernoe Common SAC or the Mens SAC are not indicated in the North of the District. Very messy Diagram for South of Plan Area - not possible to make out what is being proposed. Most users not aware of what acronyms stand for.

**Full text:**

See attachment.

**Change suggested by respondent:**

Clarify terminology in relation to North of Plan Area and North East of Plan Area.

Diagram for South of Plan Area - suggest that it is simplified and clarified.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Loxwood is not sustainable for that amount of growth and there will be travel out of the village for work

**Full text:**

as comments above about Loxwood

**Change suggested by respondent:**

Remove Loxwood from this policy

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Southbourne Parish Council recognises the existing function of Southbourne village as a settlement hub and the potential for expansion which, if properly masterplanned as a whole, would deliver housing for local people accompanied by urgently needed improvements to local infrastructure. These should include both a road bridge and a separate pedestrian bridge over the railway, improved community facilities, more and better quality recreational open space and better protection for wildlife.

**Full text:**

Southbourne Parish Council recognises the existing function of Southbourne village as a settlement hub and the potential for expansion which, if properly masterplanned as a whole, would deliver housing for local people accompanied by urgently needed improvements to local infrastructure. These should include both a road bridge and a separate pedestrian bridge over the railway, improved community facilities, more and better quality recreational open space and better protection for wildlife.

**Change suggested by respondent:**

Local infrastructure improvements should include both a road bridge and a separate pedestrian bridge over the railway, improved community facilities, more and better quality recreational open space and better protection for wildlife.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy S1 Spatial Development Strategy  
**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Support in principle.

**Full text:**

Southbourne Parish Council recognises the existing function of Southbourne village as a settlement hub and the potential for expansion which, if properly masterplanned as a whole, would deliver housing for local people accompanied by urgently needed improvements to local infrastructure. These should include both a road bridge and a separate pedestrian bridge over the railway, improved community facilities, more and better quality recreational open space and better protection for wildlife.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy S1 Spatial Development Strategy  
**Respondent:** Elizabeth Lawrence Ltd (Mrs Elizabeth Lawrence, Planner) [906]

**Summary:**

The policy states that settlements should develop according to the settlement hierarchy. East Wittering is a settlement hub and so should be the focus of more development. However, the policy seeks to restrict development in the settlement.

**Full text:**

The policy states that settlements should develop according to the settlement hierarchy. East Wittering is a settlement hub and so should be the focus of more development. However, the policy seeks to restrict development in the settlement.

**Change suggested by respondent:**

East Wittering should be treated like other settlement hubs and development should be focused there.  
 East Wittering is a large settlement and with correctly planners infrastructure could be made less reliant on Chichester and the A27.

The potential of the settlement is unknown until the recently published climate change flood risk map models are assessed/tested.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy S1 Spatial Development Strategy  
**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Focusing such a large volume of housing in the East/ West corridor will result in urban sprawl, coalescence, harm to Chichester Harbour, the environment, agricultural land and impact on climate change. Whereas the north of the District will be protected.

**Full text:**

Focusing such a large volume of housing in the East/ West corridor will result in urban sprawl, coalescence, harm to Chichester Harbour, the environment, agricultural land and impact on climate change. Whereas the north of the District will be protected.

**Change suggested by respondent:**

As only 30% of the plan area is developable the volume of housing should be reduced and exceptional circumstances apply. The NPPF consultation makes it clear that the standard methodology will no longer need to be rigidly applied so why aren't the Council taking advantage of that?

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Loxwood (Mellow) Ltd [7870]

**Agent:** Ms Megan Smith [7858]

**Summary:**

It is considered that to fulfil its strategic role (particularly with the reduced housing requirement below OAHN) the draft Local Plan review must allocate individual housing sites across the District, including Non-strategic provision across towns, villages and Parishes.

The Draft Local Plan is therefore considered to be 'ineffective' and 'unjustified' by failing to ensure the delivery of housing in an effective and timely manner. Policy S1 – Spatial Development Strategy should be amended to include specific non-strategic allocations of land and remove the requirement for Neighbourhood Plans to deliver at this more local scale.

**Full text:**

Please refer to the attached document for further information. Policy S1 is discussed on page 6 of attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** 7093 - PL-15A - Location Plan.pdf - <https://chichester.oc2.uk/a/sr7>

Written representation letter - <https://chichester.oc2.uk/a/s3j>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Loxwood (Mellow) Ltd [7870]

**Agent:** Ms Megan Smith [7858]

**Summary:**

We acknowledge support of the allocation of Loxwood as a 'Service Village' given its proximity and connections to Billingshurst, and the local services and facilities available.

We also acknowledge, Point 6.a which allows small scale housing developments consistent with housing numbers set out in Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039.

The site at Land South West of Willetts Way, is appropriate for up to 10 units and therefore fits the definition of 'small scale housing developments', as such is a target site for Policy S1.6.a.

It is considered that to fulfil its strategic role (particularly with the reduced housing requirement below OAHN) the draft Local Plan review must allocate individual housing sites across the District, including Non-strategic provision across towns, villages and Parishes.

The Draft Local Plan is therefore considered to be 'ineffective' and 'unjustified' by failing to ensure the delivery of housing in an effective and timely manner. Policy S1 – Spatial Development Strategy should be amended to include specific non-strategic allocations of land and remove the requirement for Neighbourhood Plans to deliver at this more local scale.

**Full text:**

We acknowledge support of the allocation of Loxwood as a 'Service Village' given its proximity and connections to Billingshurst, and the local services and facilities available.

We also acknowledge, Point 6.a which allows small scale housing developments consistent with housing numbers set out in Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039. The site at Land South West of Willetts Way, is appropriate for up to 10 units and therefore fits the definition of 'small scale housing developments', as such is a target site for Policy S1.6.a.

An analysis of Policy H3 is discussed in greater detail below, however the reliance on Policy H3 and consequently Neighbourhood Plans, means that this policy is not 'effective' in that a dependence on individual Parishes to allocate housing to meet requirements/targets may not be met in a sustainable way and in sufficient time to meet local needs. This means that the housing targets established in Policy H2 may not be deliverable over the plan period.

It is considered that to fulfil its strategic role (particularly with the reduced housing requirement below OAHN) the draft Local Plan review must allocate individual housing sites across the District, including Non-strategic provision across towns, villages and Parishes.

The Draft Local Plan is therefore considered to be 'ineffective' and 'unjustified' by failing to ensure the delivery of housing in an effective and timely manner. Policy S1 – Spatial Development Strategy should be amended to include specific non-strategic allocations of land and remove the requirement for Neighbourhood Plans to deliver at this more local scale.

**Change suggested by respondent:**

The site at Land South West of Willetts Way, is appropriate for up to 10 units and therefore fits the definition of 'small scale housing developments', as such is a target site for Policy S1.6.a.

Policy S1 – Spatial Development Strategy should be amended to include specific non-strategic allocations of land and remove the requirement for Neighbourhood Plans to deliver at this more local scale.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** 7093 - PL-15A - Location Plan.pdf - <https://chichester.oc2.uk/a/srj>

Written representation letter - <https://chichester.oc2.uk/a/s3k>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Development is not well located - poor transport links to Tangmere and Southbourne.

**Full text:**

I do not consider the location of most of the development to be well located. Both Tangmere and Southbourne are outside the city, Southbourne by a distance of 6 miles. There is insufficient evidence to show that there will be any modal shift to alternative forms of transport than the car. Transport links are poor and the distances too great for most people to walk or cycle. Cycling links to the city from both Tangmere and Southbourne are poor. Public transport is irregular, infrequent and expensive.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Artemis Land and Agriculture Limited [7943]

**Agent:** Mr Jack Allenby [7942]

**Summary:**

The Council's emerging Local Plan is unsound as proposed Policy S1, Spatial Development Strategy focuses most future growth in the south of Chichester district in an area that is highly constrained in planning terms, with only a moderate amount of growth proposed in the North of the Plan Area which is objectively and comparatively less-constrained.

The Council's evidence base demonstrates that additional housing could be delivered in the comparatively less-constrained North of the Plan Area, including at Crouchlands Farm, so the proposed policy is not positively prepared, and nor is it appropriately justified.

**Full text:**

**A. SUMMARY AND CONCLUSION**

1. The Council's emerging Local Plan is unsound as:

- proposed Policy S1, Spatial Development Strategy (Appendix LPD1, page 38-39), focuses most future growth in the south of Chichester district in an area that is highly constrained in planning terms, with only a moderate amount of growth proposed in the North of the Plan Area which is objectively and comparatively less-constrained;
- proposed Policy H1, Meeting Housing Needs (Appendix LPD1, page 100), sets out a total housing supply of 10,359 homes for the plan period of 1 April 2021 to 31 March 2039, equivalent to 575 homes per year (an already capped figure due to highway constraints in the south). This is a shortfall of 1,134 homes for the plan period, or 63 homes per year, against the Council's minimum local housing need as calculated by the Government's standard housing method and set out in the Council's Housing and Economic Development Needs Assessment (Appendix LPD2, page 42);
- the Council proposes a similar spatial strategy and shortfall in supply of housing against its full housing need to that for the previous (adopted) Local Plan (Appendix LPD3, pages 40 – 41, and 49). This has resulted in the Council being unable to demonstrate a five year housing land supply and manage proposals for speculative development, reflected in some 87% of new housing coming from windfall sites (Appendix LPD4, page 12), so is proven to be unsound;
- despite the historic and proposed shortfall in its housing supply, the Council presents insufficient evidence to demonstrate that the impacts of meeting more of the local housing need would significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework (2021), taken as a whole;
- the Council's Sustainability Appraisal (Appendix LPD5, page 26) assesses growth scenarios in the North of the Plan Area. A growth scenario including Crouchlands Farm for 1,114 homes (or 62 per year) is found to be most sustainable (Appendix LPD5, page 34) but is discounted without clear and robust reasoning, and a blended growth scenario for 720 homes (or 40 per year) is proposed in the Local Plan (Appendix LPD5, page 40). It is wholly unclear how the Council has arrived at its decision;
- the Water Neutrality Mitigation Strategy (Appendix LPD6, page VI) and Emerging policy NE17 (Appendix LPD1, page 89) allows for 1,796 homes in the North of the Plan Area, of which scenarios 1a and 2a, including Crouchlands Farm, are less than. Water Neutrality is therefore not a constraint when considering a higher level of development in the North of the Plan Area; and
- Crouchlands Farm was also assessed in the Council's Housing and Economic Land Availability Assessment (Appendix LPD7, page 134) as being suitable, achievable and available for rural enterprise-led development / residential mix of up to 600 homes (HELAA ID HPI009).

2. The emerging Local Plan, therefore, is unsound due to it not being positively prepared by the Council in proposing a shortfall of housing supply against its minimum local housing need, where there are no exceptional circumstances to justify this, as well as there being evidence to support additional sites for housing, including at Crouchlands Farm. There is no coherent basis for the Council not taking forward Crouchlands Farm to increase future housing supply given the shortfall.

3. As a result, the Council should be asked to allocate more sites to help bridge the gap in the extent of its housing shortfall and Crouchlands Farm should be considered the obvious first choice given the deliverability of Rickman's Green Village, as demonstrated by the Council's evidence base (Appendix LPD5, page 34, and Appendix LPD7, page 134).

4. In addition, a wealth of technical work has been undertaken to prepare and submit three planning applications for Rickman's Green Village (Chichester District Council reference 22/01735/FULEIA, 22/03114/FULEIA, and 22/03131/OUTEIA) that are currently awaiting determination. These applications further demonstrate the suitability of Crouchlands Farm as a highly sustainable site, capable of delivering up to 600 homes alongside a primary school (or other suitable community facility), village hub with farm shop, cookery school, glamping and retail and commercial units, and open space provision, such that it should be allocated in the emerging Local Plan.

5. Artemis, or a representative thereof, therefore wishes to participate in the future hearing sessions for the emerging Local Plan. It is considered that



as Crouchlands Farm is the only specific alternative considered in the Sustainability Appraisal, it merits its own hearing session.

## B. EMERGING LOCAL PLAN ANALYSIS

### Introduction

6. This representation has been prepared by DLBP Ltd, on behalf of Artemis Land and Agriculture Limited ("Artemis"), to object to the soundness of the Chichester Local Plan 2021-2039: Proposed Submission ("the emerging Local Plan") prepared by Chichester District Council ("the Council") for public consultation between 3 February to 17 March 2023 under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

7. Artemis is the owner and operator of Crouchlands Farm, Rickman's Lane, Plaistow, Billingshurst, West Sussex RH14 0LE, a 197 hectare livestock farm in the north of Chichester district partly proposed as the site of a new settlement, known as Rickman's Green Village.

8. The representation is based on the adopted National Planning Policy Framework (2021). There is a draft version currently being consulted on, but even if approved as drafted, it will not apply to a Local Plan that has reached Regulation 19 at this point. Therefore, the draft policies are not referred to.

9. In the interests of conciseness, the appendices list is not exhaustive. For example, only a selection of the planning applications documents, or executive summaries of these, have been included. The planning applications are available on Chichester District Council's website (planning refs 22/01735/FULEIA, PS/22/03114/FULEIA and 22/03131/OUTEIA), or a full suite of documents can be provided upon request.

### Spatial Strategy

10. Proposed Policy S1, Spatial Development Strategy (Appendix LPD1, page 38 – 39), is unsound.

11. Proposed Policy S1 builds on the spatial strategy of the previous (adopted) Local Plan (Appendix LPD3, page 40 – 41) by focusing growth in the south of the District on sites in and around Chichester city, and the east-west corridor. The south of the district, however, is known to be highly constrained in planning-terms. Key constraints identified by the Council are the (lack of) capacity of the A27, flood risk, and the need to protect environmental designations, landscape quality, the historic environment and settlement character (Appendix LPD1, paragraph 3.5).

12. Due to the constraints in the south, in particular capacity issues of the A27, the Council proposes a moderate level of growth in the North of the Plan Area.

13. Previous advice from the Planning Inspectorate (Appendix LPD8, page 4) concluded that the Council should reassess its adopted spatial strategy and distribution of development in other parts of the District to establish whether the housing need could be met in another way. The emerging Local Plan, however, does not reassess the distribution of development sufficiently.

14. Proposed Policy S1 is unsound as the Council's evidence base demonstrates that additional housing could be delivered in the comparatively less-constrained North of the Plan Area, including at Crouchlands Farm, so the proposed policy is not positively prepared, and nor is it appropriately justified. This is expanded upon further below.

### North of the Plan Area

15. Proposed Policies A15, Loxwood (Appendix LPD1, page 260) and H3, Non-Strategic Parish Housing Requirements 2021 – 2039 (Appendix LPD1, page 103) are also unsound.

16. The emerging Local Plan proposes one allocation for housing in the North of the Plan Area, Policy A15, Loxwood, for a minimum of 220 homes to come forward over the plan period, all through the neighbourhood plan process.

17. Proposed Policy H3 sets out non-strategic targets for 25 new homes to be delivered over the plan period in Plaistow and Ifold Parish, 50 in Kirdford Parish, and 75 in Wisborough Green, all through neighbourhood plans (of which Plaistow and Ifold does not even have a draft Neighbourhood Plan) or subsequent development plans (which have not even begun preparation yet).

18. It is clear, when looking at the District's population data alone that the North of the Plan area should, proportionately, take on more housing. This is because:

- the population for the entire District (excluding the South Downs National Park area) is 89,982, which comprises 8,396 in the North of the Plan Area and 81,586 in the remaining south of the District;
- the emerging Local Plan proposes 10,359 homes over the Plan period, comprising 370 in the North of the Plan Area and 9,989 in the remaining south of the District;
- if the proposed housing was to be distributed evenly across the District, one home should be allocated per 11.5 people. An even distribution would therefore result in 966 homes in the North of the Plan Area;
- however, the Local Plan only proposes 370 homes in the North of the Plan Area. This is a shortfall of 596 homes against what should be provided (966 homes) if it were to be evenly distributed, which equates to a 161% shortfall.

19. Proposed Policies S1, H3 and A15 should be found unsound due to there being evidence (set out in the Council's own evidence base and within this representation) demonstrating that additional housing could be delivered in the North of the Plan Area to meet future needs, particularly in the parish of Plaistow and Ifold at Crouchlands Farm.

20. Furthermore, proposed Policies S1, H3 and A15 are unsound as they are not justified or effective, but are overly reliant on the delivery of additional homes in the North of the Plan Area on sites allocated in neighbourhood plans for the respective parishes when there is no evidence to demonstrate that any sites are likely to be allocated, nor even that neighbourhood plans will be prepared by each of the parishes in the plan period. For example, proposed Policy H3 seeks to deliver 25 new homes in Plaistow and Ifold parish, however work to prepare its neighbourhood plan has ceased indefinitely.

### Sustainability Appraisal

21. The Council's Sustainability Appraisal (Appendix LPD5, page 34) considered the following six growth scenarios to determine the number of homes to be delivered across the four parishes (Kirdford, Loxwood, Plaistow and Ifold, Wisborough Green) in the North of the Plan Area:

- i) 1, lower growth of only the four parishes providing 514 homes (29 homes per year);
- ii) 1a, lower growth of the four parishes plus Crouchlands Farm, providing 1,114 homes (62 homes per year);
- iii) 2, higher growth of only the four parishes, providing 1,139 homes (63 homes per year);

- iv) 2a, higher growth of the four parishes plus Crouchlands Farm, providing 1,514 homes (84 homes per year);
- v) 3, highest growth of only the four parishes, providing 1,964 homes (109 homes per year); and
- vi) 3a, highest growth of the four parishes plus Crouchlands Farm, providing 2,564 homes (143 homes per year).

22. The Council's Sustainability Appraisal concluded that the Council is supportive of a blend of Scenarios 1 and 2 (Appendix LPD5, page 40).

23. To reflect this, proposed Policy H3 Non-Strategic Parish Housing Requirements 2021 – 2039 (Appendix LPD1, page 103) therefore seeks:

- i) lower growth at Kirdford (50 homes) and Plaistow and Ifold (25 homes) on unallocated sites; and
- ii) higher growth at Loxwood and Wisborough Green through a combination of one allocated site for 220 homes (proposed Policy A15) and other unallocated sites (75 homes).

24. However, Figure 1 of the Council's Sustainability Appraisal (Appendix LPD5, page 34), above, very clearly shows that scenario 1a (lower growth of only the four parishes plus Crouchlands Farm) scores the best overall i.e., is the most sustainable option. This is due to scenario 1a scoring highest in regard to the site's accessibility, communities and health, lack of heritage constraints relative to the other scenarios, as well as lack of landscape constraints relative to the other scenarios.

25. With regards to the analysis of the remaining criteria:

- Air Quality and Environmental Quality; Biodiversity; Land, Soils and Resources – whilst we appreciate the information may not be available for the 'other areas' accounted for in each growth scenario, the scoring does not reflect the information within the three planning applications at Crouchlands Farm (e.g. Ecological Impact Assessments (Appendices RGV17 and RGV18), Air Quality Assessments (Appendix RGV8 – RGV10), Environmental Impact Assessments (Appendices RGV21 and RGV22), Agricultural Land Classification Assessment (Appendix RGV7), Land Quality Assessments (Appendices RGV26 and RGV27, etc));
- Housing – the scoring for this category is inconsistent with the other criterion, as it does not exclude option 3a from the ranking. For example, Scenario 1a should therefore score 4, rather than 5, if based purely on the quantity of homes. But page 4 of the Sustainability Appraisal (Appendix LPD5) confirms that the objective is to (our emphasis): "deliver suitable, well designed, energy efficient and affordable housing to meet local needs, in safe and accessible neighbourhoods with mixed and balanced communities". In the absence of supporting evidence on the qualitative elements of this objective, other than at Crouchlands Farm, the method of scoring this criteria is unsound as it does not meet the full objective. When considering the high-quality design of homes at Crouchlands, it is clear that scenarios 1a and 2a should in fact score higher; and
- Economy, employment – the Sustainability Assessment fails to acknowledge the economic benefits proposed at Crouchlands Farm, which will have a significant economic benefit for Chichester District Council and the wider area. This is demonstrated in the Economic Impact Assessment submitted with planning application (Appendix RGV19). A second Economic and Social Value Impact Assessment as also been submitted which considers the scenarios of the whole of the proposal (Appendix RGV20), but we wholly appreciate that the Council did not have access to this at the time of preparing the Sustainability Appraisal.

26. There is a clear disconnect between the scoring of the scenarios, how each scenario and Crouchlands Farm has been assessed by the plan-maker, and how the conclusion to proceed with a blend of scenarios 1 and 2 has been made. Page 34 of the Sustainability Appraisal (Appendix LPD5) clearly states that it "is undertaken without any assumptions regarding the degree of importance, or 'weight', that should be assigned to each of the topics in the 'planning balance'. It is only the Council, as the decision-making authority, that is in a position to arrive at an overall conclusion on the best performing growth scenario on balance". One must therefore assume that the Council has assigned more importance and weight to certain criteria of the scoring. But there is a clear lack of explanation of this weighting exercise, so the results of the testing is not justified.

27. The Council's reasoning for supporting a blend of scenarios 1 and 2 at section 7.3 of the Sustainability Appraisal (Appendix LPD5, page 40) is therefore wholly unclear, not justified, and is unsound.

28. In summary, the Council's position is that:

- the government's standard housing methodology determines an objectively assessed need of 638 dwellings per annum, or 11,484 over the plan period (which is a capped figure at 40% above the 'baseline' need figure);
- the figure is then capped further to the plan area as a whole to 575 dwellings per annum, because:
- capacity constraints associated with the A27 in the south of the plan area results in a resolution that there is capacity for no more than 535 homes per year in the south (i.e. a further capping of its proposed supply);
- this means that 103 homes per year need to be made up in the North of the Plan Area, or 1,854 homes over the plan period;
- a growth scenario (1a) including Crouchlands Farm for 1,114 homes (or 62 per year) is found to be most the sustainable option in the Sustainability Appraisal when considering the score of figure 1 above (Appendix LPD6, page 34) but is discounted without clear and robust reasoning;
- the Council thus proposes only 40 homes per year in the North of the Plan Area due to 'wide ranging planning reasons'.

29. This is wholly unsubstantiated as it means that there is a shortfall of 63 homes per year, or 1,134 homes over the plan period. Also:

- the Sustainability Appraisal (Appendix LPD5, page 16) sets out that water neutrality has implications for the growth quantum in the North of the Plan Area, so this area cannot accommodate the full 63 homes per year (which is already a capped figure);
- but the Water Neutrality Mitigation Strategy (Appendix LPD6, page 15, table 3.1), and the Sustainability Appraisal (Appendix LPD5, page 16), both confirm that the North of the Plan Area can accommodate 1,796 homes (circa 100 homes per year);
- and even if a suitably precautionary approach is taken (considering fewer homes, by 5% or 10%), 5% fewer homes would equate to 1,706 homes, and 10% fewer homes would equate to 1,616 homes;
- therefore, even with the highest buffer (10%) applied, 1,616 homes could be accommodated in the North of the Plan Area over the plan period (circa 90 homes per year). This means that almost the entirety of the actual shortfall (1,854 homes) could be reached in the North of the Plan Area.

30. We accept that the 1,854 homes required to be made up in the North of the Plan Area cannot be accommodated, due to water neutrality constraints and so scenarios 3 and 3a are discounted.

31. However, scenarios 1 (514 total homes), 1a (1,114 total homes), 2 (1,139 total homes), and 2a (1,514 total homes) would all be below the most precautionary approach taken to water neutrality constraint. Taking the highest growth scenario 2a (with Crouchlands Farm), there would still be headroom of 102 homes in terms of the Water Neutrality Mitigation Strategy.

32. Therefore, water neutrality cannot be the determining constraint for discounting scenarios 1a or 2a from the Sustainability Appraisal (Appendix LPD5).

33. Therefore, there is very limited explanation about what the "wide ranging planning reasons" are, and how the resulting shortfall has been reduced from 103 homes per year to 40 homes per year in the North of the Plan Area. Three examples are referenced (with our comments in bold):

- the rurality of the area – whilst we appreciate and wholly recognise this is a designated Rural Area under Section 157 of the Housing Act 1985, so are many of the sites in the south of the plan area that already have, and are planned to, accommodate significant growth. But other than this, a large part of the North of the Plan Area, including Crouchlands Farm, is unconstrained – it is not in the Green Belt, an Area of Outstanding Natural Beauty, a Special Area of Conservation, a Site of Special Scientific Interest, or other constraints. This is accepted by the Council at page 34 of the Sustainability Appraisal (Appendix LPD5);
- the entire area falls within a constrained water resource zone – this is not a constraint. The Council's own proposed Policy NE17 contradicts this reasoning, as clearly sets out how developers can provide evidence that new development will be water neutral. In addition, Natural England's

Mitigation Strategy (Appendix LPD6, page V - XI) identifies the area as having capacity for 1,784 homes, and growth scenarios 1, 1a, 2 and 2a would all allow for headroom when considered against this (see paragraphs 28 – 32 above); and

- transport-related barriers to growth, whereby Waverley Borough and Horsham District have raised concern – as set out in Section C below, the planning applications at Crouchlands Farm contain a wealth of transport assessments and evidence that there are suitable, reasonable, and proportionate ways of mitigating this. Horsham District and Waverley Borough Councils and have not raised objection to the planning applications, either on transport or any other grounds (Appendices RGV40 and RGV41, respectively). Paragraph 5.2.33 of the Sustainability Appraisal (Appendix LPD5) accepts that the strategic growth options, i.e. Crouchlands Farm, have merit in transport terms.

34. Further details of the Council's assessment of Crouchlands Farm in the Sustainability Appraisal (Appendix LPD5) are set out in Section C of this representation, alongside our response to each of the points raised by the Council.

40 homes per year

35. A meeting was held between the Council and an Advisory Inspector in October 2022 (Appendix LPD9). This precedes the publication of the Sustainability Appraisal (Appendix LPD5), the growth scenario testing, and the Water Neutrality Mitigation Strategy (Appendix LPD6), which have since concluded that development of up to 1,796 homes can be sustainably achieved in the North of the Plan Area over the plan period. The Sustainability Appraisal (Appendix LPD5) excluded scenario 3a on the basis of this being exceeded (page 26).

36. Nevertheless, paragraph 5 of the Advisory Inspector's notes (Appendix LPD9) states "[...] the Council consider[s] a housing requirement below the need derived from the standard method (some 535 dwellings per annum (dpa) in the southern plan area and the potential for a further 40 dpa in the northern plan area compared to 638 dpa)". And paragraph 9 lists a number of potentially constraining factors (e.g. limited public transport, limited facilities, water neutrality etc), which the Advisory Inspector states (our emphasis): "appear to support the Council's position that a maximum of 600-700 homes could be delivered over the Plan period (or around 40 dpa)."

37. However, it is unclear what evidence informed the figure of 40 homes per year in the Advisory Inspector's note, particularly as:

- none of the scenarios in the Sustainability Appraisal specifically tested a 40 homes per year scenario; and
- the Water Neutrality Mitigation Strategy, restricting development in the North of the Plan Area to 1,796 homes was not published until December 2022.

38. It is also unclear how the proposed figure of 40 homes per year is reached as a blend of scenarios 1 and 2. For example, when calculating the completions (54), commitments (198), windfall (62) figures at table 5.5, plus the 220 homes at Loxwood, 25 homes at Plaistow and Ifold, 50 homes at Kirdford, and 75 homes at Wisborough Green, the total amounts to 684 homes over the plan period, or 38 homes per year.

39. Despite this, the Emerging Local Plan (Appendix LPD1, pages 99 and 100) sets out a figure of 40 homes per year over the plan period (679 homes in total), accounting for completions, commitments as of December 2022, windfall, allocation at Loxwood, and non-strategic allocations at Kirdford, Plaistow and Ifold, and Wisborough Green. This is contrary to the results of the Sustainability Appraisal.

40. In a previous meeting with the Advisory Inspector regarding water neutrality (September 2022, Appendix LPD10), the Inspector confirms that, prior to submission of a plan (our emphasis added):

"the Inspectorate can only provide advice based on national planning policy and guidance, along with our own personal experience. While it is possible to explore issues in advisory meetings it is not possible to say definitively that the approaches taken will lead to a sound plan. That's because ultimately each plan will be considered by an Inspector who has been appointed to carry out an independent examination. In doing so they will consider all the evidence to justify the plan, the representations and what was discussed at the hearing sessions."

41. It is therefore not sufficient reasoning for the Council to submit the Emerging Local Plan, using a blend of scenarios 1 and 2 that happen to match a 40 homes per year figure in the North of the Plan Area, on the basis of the Advisory Inspector's commentary in October 2022 (Appendix LPD9), which preceded the issuing of the Water Neutrality Mitigation Study (Appendix LPD6) and the Sustainability Appraisal (Appendix LPD5). One can assume there has been no examination of evidence by the Advisory Inspector, just commentary based on the Council's own - unsound - narrative.

42. For the above reasons, the Council has therefore not positively prepared or justified the reasons for limiting growth in the North of the Plan Area to 40 homes per year.

#### Development Plan Infrastructure Panel

43. The Sustainability Appraisal (and commentary at the Special Cabinet and Full Council meetings held on 23 and 24 January 2023) makes references to conversations held and decisions made by the Development Plan Infrastructure Panel. A Freedom of Information request was submitted to request the minutes of these meetings, and the response was that the meetings are confidential and so the minutes would need to be heavily redacted.

44. The transparency of this is in question. While the meetings may not be 'public' in the sense that the public can attend and watch, the meetings relate to a document that is in the public domain and subject to public consultation, and so there should be transparency into how the decisions and conclusions have been made and justified.

45. In light of the above, proposed Policies S1, H1, and H3 are unsound for not being positively prepared or justified, directing insufficient growth in the North of the Plan Area where there is evidence to support the allocation of additional housing in a more-sustainable way, by including Crouchlands Farm.

#### Housing Need

##### Shortfall of supply

46. Proposed Policy H1, Meeting Housing Needs (Appendix LPD1, page 100), is unsound.

47. Paragraph 61 of the National Planning Policy Framework (2021) sets out that "to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach".

48. The Council's Housing and Economic Development Needs Assessment (Appendix LPD2, page 42) identifies a housing need of 763 homes per year based on the Government's standard method. That figure comprises 125 homes per year for the part of the district in the South Downs National Park and 638 homes per year for the remainder of the district (the plan area). This equates to a total requirement for 11,484 new homes for the plan period of 1 April 2021 to 31 March 2039.

49. Proposed Policy H1, however, sets out the total housing supply of 10,359 homes for the plan period, which equates to 575 homes per year. This is a shortfall in supply of 1,134 homes, or 63 homes per year, against the minimum local housing need as calculated by the Government's standard method.

50. The Council attempts to justify the proposed shortfall in housing supply due to key constraints in the south (the A27, flood risk, environmental designations) and the north of the district. In the north, the Council identifies key constraints to be the protection of environmental designations, landscape quality, historic environment and settlement character, and water neutrality (Appendix LPD1, paragraph 3.5).

51. We note that this was echoed by the Planning Inspectorate in a Local Plan Advisory Meeting, held on 5 October 2022, who found that: "The northern area is not constrained by the capacity of the A27 but has its own issues. As a predominantly rural area with limited facilities and public transport, it is not an obvious location for significant development. There are also landscape and historic environment constraints. It is also affected by water neutrality requirements and the potential for capacity issues on the wider highway network. These factors appear to support the Council's position that a maximum of 600-700 homes could be delivered over the Plan period (or around 40 dpa)". (Appendix LPD9, paragraph 9).

52. However, that advice was issued prior to the Council's Sustainability Appraisal (Appendix LPD5) and Water Neutrality Mitigation Strategy (Appendix LPD6) being published, which have since concluded that development of up to 1,796 homes in the North of the Plan Area over the plan period can be sustainably achieved.

53. The Council makes no justification that not meeting its housing need in full would significantly and demonstrably outweigh the benefits of meeting the majority of the shortfall of need in the North of the Plan Area, when assessed against the policies in the National Planning Policy Framework (2021) taken as a whole. The Council entirely overlooks the fact that its objectively assessed housing requirement is not being met. The only reason the Council makes for not meeting its housing need in the North of the Plan Area is set out in a Cabinet Report, dated 23 January 2023, which states: In the north of the Plan area, previously, given it is less sustainable compared to Chichester and the east-west corridor, the Local Plan has only provided for only limited growth, focused on enabling these communities to continue to sustain local facilities and contribute towards meeting locally generated housing needs, and support for the rural economy, in line with the settlement hierarchy. However, due to the constraint of the A27 in the south of the plan area (see housing section at para 5.34 onwards below), it is considered that this Plan should provide for a moderate level of growth in the north to help to make up the overall shortfall of dwellings, in order to demonstrate that 'no stone has been left unturned' in identifying housing supply.

High levels of growth were considered at Loxwood, Kirdford, Wisborough Green and Plaistow and Ifold, but ruled out due to the need to conserve the rural character of the area and its high quality landscape and to minimise the impact on the historic environment. The spatial strategy therefore includes growth at Kirdford (50 dwellings), Wisborough Green (75 dwellings) and Plaistow and Ifold (25 dwellings). Loxwood is the least constrained settlement in the north of the plan area, and benefits from the most services and facilities, including healthcare. Therefore, a moderate amount of growth is appropriate for Loxwood of 220 dwellings, to come forward through the neighbourhood planning process. The SA of the northern options considered 3 scenarios (plus each scenario with the addition of a potential new settlement at Crouchlands), for low, higher and highest growth. The highest growth scenarios perform poorly and therefore the Local Plan reflects a combination of the low and higher growth scenarios tested, which takes into account the constraints of each settlement and the need to avoid cross boundary traffic and education impacts. A new settlement at Crouchlands has been ruled out as it is not of a sufficient size to be a sustainable new settlement in a rural location and because of the negative impact on the landscape and intrinsic rural character of the area and poor sustainable transport links. (Appendix LPD11, paragraphs 5.19 – 5.21).

54. The Council fails to make a case that the impacts of meeting this need would outweigh the harm cause by not meeting the full housing need, or indeed that impacts of even getting closer to meeting this need would demonstrably outweigh the harm of not meeting housing need.

55. On the contrary, there is evidence to demonstrate that housing supply could be higher by at least 600 homes through the allocation of Crouchlands Farm as a site considered to be suitable, achievable and available by the Council's Housing and Economic Land Availability Assessment (Appendix LPD7, page 134). The allocation of Crouchlands Farm would be acceptable in water neutrality terms, with both Scenarios 1a and 2a of the Sustainability Appraisal (Appendix LPD5, page 34) delivering new homes below the maximum figure set out in the Water Neutrality Mitigation Report (Appendix LPD6, page VI). Furthermore, there are no heritage and landscape constraints associated with Crouchlands Farm.

56. In addition, the information supporting the applications for Rickman's Green Village further demonstrate Crouchlands Farm as a highly sustainable site, capable of delivering up to 600 homes alongside a village hub with farm shop, retail and commercial units, office and flexible working space, and open space provision (as well as provision for a primary school or other suitable community facility).

57. Proposed Policy H1 is therefore unsound on the basis that it is not positively prepared or justifiable when accounting for all reasonable alternatives. Historic under-delivery

58. The previous (adopted) Local Plan (Appendix LPD3, page 49) did not provide a sufficient supply of housing to meet the Council's full housing need at the time of adoption, which is the same approach proposed by the Council for Policy H1.

59. Many of the sites allocated for housing in the previous (adopted) Local Plan on sites in the south of the District have not been delivered, as demonstrated by Appendix 2, Table E of the Council's Five Year Housing Land Supply Position Statement (Appendix LPD12). This confirms that four sites allocated by the Council previously, with a combined projected supply of 2,210 homes, have not been started, and do not even benefit from planning permission. We understand that none of those sites has come forward due to impediments resulting from site ownership, which raises questions around the approach taken by the Council in allocating sites for housing in the south in the past, which Policy S1 proposes to use again.

60. The Council's failing to meet its housing supply historically has also resulted in it now being unable to demonstrate a five year housing land supply and so unable to effectively manage proposals for speculative housing developments. This is reflected in a significant proportion – some 87% – of new housing coming from windfall sites (Appendix LPD4, page 12).

61. In addition, the Council introduced a new Interim Position Statement for Housing (Appendix LPD13) which set out a spatial strategy to allow new development adjacent to settlement boundaries as a way of significantly boosting housing supply (Criterion 1). The Council has not carried this strategy forward into the emerging Local Plan. This is despite the Planning Inspectorate recommending this in a recent appeal decision (Appendix LPD14), stating that the application of Criteria 1 suggested "the Council's [adopted] spatial strategy may be out of date, as a more permissive approach appears necessary to maintain a five-year housing land supply." (paragraph 25).

62. Proposed Policies S1 and H1 are therefore unsound as they follow the same approach of the previous (adopted) Local Plan, which has proven to be ineffective and unsustainable, contrary to national policy, and the recommendations of the Planning Inspectorate.

#### Longer Term Growth Requirements

63. The emerging Local Plan as originally published (Appendix LPD15), prior to the meetings of the Council's Cabinet and Full Council on 23 and 24 January 2023, respectively, set out "some reservations about whether it will be appropriate in the longer term to continue to rely on existing sources of supply (e.g., urban extensions and urban intensification) indefinitely given the potential for ongoing increased levels of housing needs" (paragraph 5.11).

64. In doing so, it identified that a new settlement of 2,000 – 3,000 dwellings to accommodate potential longer-term growth needs beyond the Plan period (i.e. 2039 onwards) will need to be explored.

65. At the meeting of the Council's Cabinet, a proposed amendment was agreed to remove the above wording and instead insert:

"Beyond the Plan period additional planned provision for housing will be required. During the course of preparing this Plan, it has become apparent that it may not be appropriate in the longer term to continue to rely completely on sources of supply such as urban extensions and urban intensification" [...]

"In order to be in a position to update this Local Plan within the next five

years the Council will need to consider future population and household growth. At the same time, the requirement for sufficient homes to house a local workforce without relying on excessive in-commuting to the District's workplaces will need to be considered. The continual evolution of National Planning Policy also presents challenges as in what national, regional, sub-regional and plan area strategic planning context any future reviews of this plan may be undertaken." (Appendix LPD1, paragraphs 5.11 – 5.12).

66. Reference is then made to the need to work "bilaterally with neighbouring authorities in seeking to find cross boundary strategic solutions to future growth requirements" (Appendix LPD1, paragraph 5.13).

67. The emerging Local Plan (Appendix LPD1, paragraph 5.14) continues to recognise a need to facilitate the identification of possible new development sites specifically within the Chichester plan area, however solutions to meet that need are not explored fully.

68. The Council states that it would consider sites that (with our commentary in bold):

i) are of a sufficient scale to support potential long-term development needs arising and support the provision of key infrastructure and community facilities – Rickman's Green Village is of a scale similar to surrounding villages, and will provide all necessary key infrastructure as well as community facilities such as a potential primary school (or other suitable community facility), sports pitches, and shops;  
 ii) are comprehensively planned in consultation with existing communities and key stakeholders – significant public engagement has been undertaken, including two in-person public consultation events, and pre-application discussions with West Sussex County Council (on transport, and education) and Chichester District Council;  
 iii) provide for a sustainable, inclusive and cohesive community promoting self-sufficiency and with high levels of sustainable transport connectivity – a new bus service connecting Rickman's Green Village to Billingshurst is proposed, and onsite infrastructure is provided to promote self-sufficiency;  
 iv) include on-site measures to avoid and mitigate any significant adverse impacts on nearby protected habitats – extensive ecology surveys and assessments have been undertaken to ensure habitats are protected. For example, 10 – 30 m buffers have been incorporated around Ancient Woodland;  
 v) provide a mix of uses to meet longer term development needs and contribute towards its distinctive identity – the village hub will provide office spaces, shops, a café, leisure facilities and a potential school or other suitable community facility to meet long term needs of future residents; and  
 vi) are of a layout and form that avoids coalescence with existing settlements and does not undermine their separate identity; respects the landscape character and conserves and where possible enhances the character, significance and setting of heritage assets – Rickman's Green Village has been designed to be a new rural village that does not rely on or coalesce with other surrounding villages. The design has been landscape-led and reflects the character of nearby villages, with contemporary features. There are a number of mitigation measures in place to ensure the setting of heritage assets are protected.

69. Proposed Policies S1 and H1 are therefore unsound. The Council acknowledges that there are ways of meeting future housing need, which could include an allocation of Crouchlands Farm, but avoids deploying these now, which is not justified.

#### Water neutrality

70. Proposed Policies S1, Spatial Development Strategy (Appendix LPD1, page 40 – 41), H1, Meeting Housing Needs (Appendix LPD1, page 100), and H3, Non-Strategic Parish Housing Requirements 2021 – 2039 (Appendix LPD1, page 103) are unsound, and contradictory to proposed Policy NE17, Water Neutrality (Appendix LPD1, page 89)

71. The Council's Sustainability Appraisal (Appendix LPD5), in assessing the proposed growth scenarios for the North of the Plan Area, states that water neutrality remains a "key constraint to higher growth" (page 40), despite a Mitigation Strategy (Appendix LPD6) having been agreed.

72. That Mitigation Strategy (Appendix LPD6) assumes 1,796 homes being delivered in the North of the Plan Area which the Council's Sustainability Appraisal (Appendix LPD5, page 16) states:

"immediately serves to indicate that there is no potential to deliver the high growth target figure of 1,854 homes as the (minimum) level of growth that would be necessary in the northeast plan area, were the local plan housing requirement to be set at LHN [local housing need]."

73. Based on the above, the Council should have discounted the highest growth scenarios for the North of the Plan Area in the Sustainability Appraisal Scenarios 3 and 3a, which propose 1,964 and 2,564 homes, respectively for delivering more than 1,796 homes (Appendix LPD5, page 26). Page 26 of the Council's Sustainability Appraisal (Appendix LPD5) states, however, "On balance, just Scenario 3a [highest growth of the four parishes plus Crouchlands Farm, providing 2,564 homes] is ruled out as unreasonable, on this basis, leaving five reasonable growth scenarios". The Council provides no further justification for the inclusion of Scenario 3.

74. The Sustainability Appraisal (Appendix LPD5) goes on to state that whilst a Mitigation Strategy has been agreed, it "cannot be implemented until further work has been completed in order to design / set up strategic offsetting schemes. In this light, the proposed strategy of restricting growth somewhat [in the North of the Plan Area] is supported" (page 60).

75. That assessment is at odds, however, with proposed Policy NE17, Water Neutrality (Appendix LPD1, page 89), which states that "Development proposals are not required to utilise the planning authority-led offsetting scheme and may bring forward their own offsetting schemes."

76. The Council, therefore, seeks to use water neutrality to limit future growth in the North of the Plan Area, despite proposed Policy NE17 facilitating appropriate development from coming forward, such as that proposed at Crouchlands Farm. Proposed Policies S1, H1 and H3 are unsound for not being positively prepared or justified.

#### C. CROUCHLANDS FARM

77. Our analysis of the Council's emerging Local Plan shows that it cannot be found sound as the Council proposes a shortfall of supply against its minimum local housing need where there are no exceptional circumstances to justify this, as well as there being evidence to support additional sites for housing.

78. As a result, the Council should be asked to allocate more sites to help bridge the gap in the extent of its housing shortfall and Crouchlands Farm should be considered the obvious first choice given the deliverability of Rickman's Green Village, as demonstrated by the Council's evidence base (Appendix LPD5, page 34, and Appendix LPD7.5, page 134), and the evidence presented below.

For further information, see attached supplementary documents.

#### Change suggested by respondent:

Please see the attached representation.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** 2023.03.16 final wsx1 Local Plan Representation - <https://chichester.oc2.uk/a/swm>

LPD17 Sustainable Settlement Study (March 2023) - <https://chichester.oc2.uk/a/trh>

ENG1 Letter Introducing Rickman's Green Village to Senior Leadership Team\_redacted - <https://chichester.oc2.uk/a/t35>

ENG2 Rickman's Green Village Public Consultation Letter\_redacted - <https://chichester.oc2.uk/a/t36>  
 ENG10 Letter to Senior Leadership Team Regarding Application Submissions\_redacted - <https://chichester.oc2.uk/a/t37>  
 LPD14 Appeal Decision - <https://chichester.oc2.uk/a/t39>  
 LPD13 Interim Position Statement for Housing - <https://chichester.oc2.uk/a/t3d>  
 ENG3 Rickman's Green Village Proposed Allocation Information Pack - <https://chichester.oc2.uk/a/t3w>  
 ENG4 Rickman's Green Village Proposed Allocation Briefing Note - <https://chichester.oc2.uk/a/t3f>  
 ENG5 Rickman's Green Village Illustrative Masterplan - <https://chichester.oc2.uk/a/t3g>  
 ENG6 Rickman's Green Village Public Consultation Update - <https://chichester.oc2.uk/a/t3h>  
 ENG7 Rickman's Green Village Public Consultation Presentation Boards - <https://chichester.oc2.uk/a/t3x>  
 ENG8 Rickman's Green Village Proposed Landscape Strategy - <https://chichester.oc2.uk/a/t3j>  
 ENG9 Rickman's Green Village Bus Feasibility Note - <https://chichester.oc2.uk/a/t3k>  
 RGV1 Whole Farm Plan Planning Statement - <https://chichester.oc2.uk/a/t3z>  
 RGV2 Rickman's Green Village Planning Statement - <https://chichester.oc2.uk/a/t3m>  
 RGV4 Rickman's Green Village (full) design and access statement - <https://chichester.oc2.uk/a/t3n>  
 RGV5 Rickman's Green Village (outline) Design and Access Statement - <https://chichester.oc2.uk/a/t3y>  
 RGV6 Rickman's Green Village Affordable Housing Statement - <https://chichester.oc2.uk/a/t3p>  
 RGV8 Whole Farm Plan Air Quality Impact Assessment (Summary) - <https://chichester.oc2.uk/a/t3q>  
 RGV9 Rickman's Green Village (full) Air Quality Assessment - <https://chichester.oc2.uk/a/t4r>  
 RGV10 Rickman's Green Village (outline) Air Quality Assessment - <https://chichester.oc2.uk/a/t4s>  
 RGV11 Whole Farm Plan Arboricultural Implications Report - <https://chichester.oc2.uk/a/t4t>  
 RGV16 Rickman's Green Village Deliverability Statement - <https://chichester.oc2.uk/a/t43>  
 RGV17 Whole Farm Plan Ecological Impact Assessment (Report Summary) - <https://chichester.oc2.uk/a/t44>  
 RGV18 Rickman's Green Village Ecological Impact Assessment (Report Summary) - <https://chichester.oc2.uk/a/t45>  
 RGV19 Whole Farm Plan Economic Impact Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t46>  
 RGV21 Whole Farm Plan Environment Impact Assessment - <https://chichester.oc2.uk/a/t47>  
 RGV22 Rickman's Green Village Environmental Statement - <https://chichester.oc2.uk/a/t48>  
 RGV23 Whole Farm Plan Heritage Statement (Summary and Conclusion) - <https://chichester.oc2.uk/a/t49>  
 RGV31 Whole Farm Plan Operational Statement - <https://chichester.oc2.uk/a/t4v>  
 RGV32.2 Rickman's Green Village (outline) Residential Travel Plan Annex C - <https://chichester.oc2.uk/a/t4b>  
 RGV33 Whole Farm Plan Rural Enterprise Centre Report - <https://chichester.oc2.uk/a/t4c>  
 RGV35 Whole Farm Plan Transport Assessment (Summary and Conclusions) - <https://chichester.oc2.uk/a/t4d>  
 RGV38 Whole Farm Plan Water Neutrality Report - <https://chichester.oc2.uk/a/t4w>  
 RGV39 Rickman's Green Village (full) Water Neutrality Report - <https://chichester.oc2.uk/a/t4f>  
 PLA1 Allocation Location Plan - <https://chichester.oc2.uk/a/t4g>  
 PLA2 Whole Farm Plan Site Location Plan - <https://chichester.oc2.uk/a/t4h>  
 PLA3 Proposed Whole Farm Plan - <https://chichester.oc2.uk/a/t4x>  
 PLA4 Phase 1 Site Location Plan - <https://chichester.oc2.uk/a/t4j>  
 PLA5 Phase 1 Illustrative Masterplan - <https://chichester.oc2.uk/a/t4k>  
 PLA6 Phase 1 Proposed Site Layout - <https://chichester.oc2.uk/a/t4z>  
 PLA7 Phase 2 Site Location Plan - <https://chichester.oc2.uk/a/t4m>  
 PLA8 Rickman's Green Village Illustrative Masterplan (Option A) - <https://chichester.oc2.uk/a/t4n>  
 PLA9 Rickman's Green Village Framework Masterplan (Option A) - <https://chichester.oc2.uk/a/t4y>  
 PLA10 Rickman's Green Village Framework Masterplan (Option B) - <https://chichester.oc2.uk/a/t4p>  
 PLA11 Axonometric View (Option A) - <https://chichester.oc2.uk/a/t4q>  
 LDP15 Cabinet Meeting Agenda Item 4 -  
<https://chichester.moderngov.co.uk/documents/s24215/Proposed%20Submission%20version%20of%20the%20Chichester%20Local%202039%20-%20Appendix%20A.pdf>  
 RGV7 Rickman's Green Village Agricultural Classification Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t54>  
 RGV12 Rickman's Green Village (full) Arboricultural Implications Report - <https://chichester.oc2.uk/a/t55>  
 RGV13 Rickman's Green Village (outline) Arboricultural Implications Report (summary) - <https://chichester.oc2.uk/a/t56>  
 RGV14 Rickman's Green Village (full) Biodiversity Net Gain Assessment (Report Summary) - <https://chichester.oc2.uk/a/t57>  
 RGV15 Rickman's Green Village (outline) Biodiversity Net Gain Assessment (Report Summary) - <https://chichester.oc2.uk/a/t58>  
 RGV20 Rickman's Green Village Economic Impact and Social Value Assessment (Executive Summary) -  
<https://chichester.oc2.uk/a/t59>  
 RGV24 Rickman's Green Village (full) Heritage Statement (Summary and Conclusion) - <https://chichester.oc2.uk/a/t5v>  
 RGV25 Rickman's Green Village (outline) Heritage Statement (Summary and Conclusion) - <https://chichester.oc2.uk/a/t5b>  
 RGV26 Rickman's Green Village (full) Land Quality Assessment (Conclusions and Recommendations) -  
<https://chichester.oc2.uk/a/t5c>  
 RGV27 Rickman's Green Village (outline) Land Quality Assessment (Conclusions and Recommendations) -  
<https://chichester.oc2.uk/a/t5d>  
 RGV28 Whole Farm Plan Landscape and Visual Impact Assessment (Summary and Mitigation Strategy) -  
<https://chichester.oc2.uk/a/t5w>  
 RGV29 Rickman's Green Village (full) Landscape and Visual Impact Assessment (conclusion) - <https://chichester.oc2.uk/a/t5f>  
 RGV30 Rickman's Green Village (outline) Landscape and Visual Impact Assessment (Conclusion) -  
<https://chichester.oc2.uk/a/t5g>  
 RGV32.1 Rickman's Green Village (outline) Residential Travel Plan (Executive Summary) - <https://chichester.oc2.uk/a/t5h>  
 RGV34 Rickman's Green Village (outline) School Travel Plan (Executive Summary) - <https://chichester.oc2.uk/a/t5x>  
 RGV36 Rickman's Green Village (full) Transport Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t5j>  
 RGV37 Rickman's Green Village (outline) Transport Assessment (Summary and Conclusions) - <https://chichester.oc2.uk/a/t5k>  
 RGV40 Horsham District Council Response to Rickman's Green Village Applications - <https://chichester.oc2.uk/a/t5z>  
 RGV41 Waverley Borough Council Response to Rickman's Green Village Applications - <https://chichester.oc2.uk/a/t5m>  
 RGV42 West Sussex County Council Response to Rickman's Green Village Applications - <https://chichester.oc2.uk/a/t5n>  
 LPD15 Cabinet Meeting Agenda Item 4 - <https://chichester.oc2.uk/a/t5y>  
 RGV3 Whole Farm Plan Design and Access Statement - <https://chichester.oc2.uk/a/t5p>

## Object

**Document Element:** Policy S1 Spatial Development Strategy  
**Respondent:** Welbeck Strategic Land IV LLP [7970]  
**Agent:** Mrs Sarah Hufford [7969]

**Summary:**

The absence of future growth at the Settlement of East Wittering is based on flawed flood data and the omission of growth scenario testing within the SA. The Manhood Peninsula (and Settlement of East Wittering - West Wittering Parish) could accommodate a moderate level of future growth and should be reinstated for 350 dwellings. Failing that 150 – 160 dwellings could be accommodated on Land to the West of Church Lane (ref HWW0002a). Reliance on existing provision would not meet the housing needs of the settlement of East Wittering, is not 'justified' and or 'effective'. Policy S1 is therefore unsound.

**Full text:**

Please refer to the Attached Document.

An objection is raised to Policy S1 on the basis of the omission of residential development at the Settlement Hub of East Wittering. East Wittering/Bracklesham is classified as a Settlement Hub and within the Chichester and Retail and Main Town Centre Uses Study (2018) as a 'secondary service centre, providing a reasonable range of employment retail, social and community facilities serving the settlement and local catchment areas'. It is therefore one of the larger and more sustainable locations for development within the Chichester District.

As set out in the preamble, it should be noted that approximately a third of the existing settlement of East Wittering sits within the Parish of West Wittering. The Site which is subject to these representations (Land to the West of Church Road) whilst being within the Parish of West Wittering, is closely related to, and forms part of, the settlement of East Wittering and shares a boundary with this settlement. Therefore, when reference is made to the 'Settlement of East Wittering' or the 'Settlement Hub of East Wittering' this also includes the Land which is subject to these representations (and located within West Wittering Parish). The omission of new residential growth at the settlement of East Wittering has not been sufficiently "justified" given the stated objectives of the Plan to accommodate development in larger and more sustainable settlements. Provision for 600 new residential units had been included within the Preferred Approach version of the Local Plan, identifying this as a modest level of growth. This included 350 dwellings at East Wittering.

However, all growth scenarios for the Manhood Peninsula (with the exception of 50 dwellings at North Mundham) were deleted for the following reason:

"In conclusion, in light of the latest flood risk evidence, there is only one scenario for East Wittering and Bracklesham Parish, involving completions, commitments and windfall only."

The Sustainability Appraisal has not tested a development scenario which includes development at the settlement of East Wittering (within either East or West Wittering Parish). This is considered to be a significant flaw to the SA and the overall Spatial Strategy in Policy S1.

It is noted within the SA that the 2022 SFRA shows extensive tidal flood risk under climate change scenarios, affecting all the sites reasonably in contention for allocation. This includes Site HWW0002a, Land to the West of Church Road.

However, Chichester District Council published another SFRA back in 2018, identifying Land to the West of Church Road, in the 'climate change risk zone in 2115' catchment. The 2018 SFRA was utilised to assess sites in the 2020 HELAA. Land to the West of Church Road was originally discounted in the 2020 HELAA, due to being in the subject catchment. This was challenged and it was argued that this is an extreme tidal event and should not be confused with identified flood zones. The EA subsequently advised that the model had been superseded and that the site is not considered to be at risk of coastal flooding. The reason for the difference was found to be which of the various flood risk scenarios were used in the 2018 SFRA. Chichester District Council then produced a revision to the 2018 SFRA in April 2021.

Upon review of the 2022 SFRA, the Council claims the assessments have an updated harbour coastal model. Appendix E of the 2022 SFRA outlines how climate change may influence the tidal and coastal flood risk. However, from reading the 2022 SFRA, our interpretation is that the update is based on the original 2018 SFRA, instead of the revised 2018 SFRA and therefore, it appears that the modelling is inaccurate once again.

In the absence of the modelling data and clarification of the 2022 SFRA, we retain our rights to make future representation and participate in the examination, at the later stage of this Local Plan Review Process. Relevant Correspondence is attached at Appendix C.

Land West of Church Lane is therefore not affected by flood constraints and available for development within the HELAA. It is also noted that the Sustainability Appraisal considers notes a 'green' response on the RAG scale for flood Zone, and supports the findings that the site is suitable for development on these grounds.

Paragraph 3.20 of the Draft Plan sets out that several planning approvals have contributed to moderate levels of growth on the Manhood Peninsula. The Sustainability Assessment notes 256 dwellings on 5 sites within East Wittering and Bracklesham Parishes and suggests that other sites may also come forward on appeal.

It is none-the-less considered necessary to plan proactively and future allocations should be made at the settlement of East Wittering, given its sustainability (second only to Chichester) and aspirations for further retail, employment, tourism and leisure growth. Currently, the level of commitments falls below the 350 dwellings allocated in the Preferred Option version Local Plan and it is notable that these would also be delivered within the early stages of the Plan period.

Further growth would also contribute to the viability of services and facilities at the settlement of East Wittering, which is particularly important given the need to sustain these services for the older population that resides within the Manhood Peninsula.

Therefore, it is considered that further allocations should be made to secure modest future growth. In this context it is considered that the 350 dwellings allocated in the Preferred Option version Local Plan should be re-instated. Failing that, as a minimum, 150 -200 dwellings could be accommodated at the settlement of East Wittering (but within the Parish of West Wittering) to deliver a commensurate level of growth to that originally envisaged.

It is considered that this could be accommodated on the Northern Parcel on Land to the West of Church Road. The Southern Parcel has already been permitted - 70 dwellings on Appeal in April 2022 (Ref: APP/L3815/W/21/3286315). The Northern Parcel (Ref HWW0002a) could deliver circa 150 – 160 dwellings. The Details of this are set out under Objections to Policy H2 below.

Of further note, The 2021 census recorded a population of 6,059 persons for East Wittering Built Up Area, which is set out as including the Land to the West of Church Road.

Chichester District has an average household size of 2.4 persons. This means that the existing commitments of 256 dwellings would generate a population of circa 614 people. The Northern Parcel of Land to the West of Church Lane could contribute 150 dwellings or a further 360 persons. Overall, this would equate to a population rise of circa 974 persons (or circa 16%) within the Plan period and would constitute a moderate level of growth for this settlement and reflective of its size and the accessibility constraints.

**Change suggested by respondent:**

In view of this, it is considered that Policy S1 should be altered as follows:

2. Reinforcing the role of Manhood Peninsular as a location for moderate growth and home to existing communities, tourism and agricultural enterprise.

East Wittering should also be added to the list of Settlement Hubs considered for new residential and employment development under Part 4. As a consequence, Employment could be deleted from the reference under 5b.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** P2020 Appendix B Appeal Southern Portion.pdf - <https://chichester.oc2.uk/a/s7c>

P2020 Regulation 19 Repts Land West of Church Road FINAL 231603.pdf - <https://chichester.oc2.uk/a/s7d>

P2020 Appendix C Flood Risk Correspondence - Redacted - <https://chichester.oc2.uk/a/t9x>

**Object**

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Landacre (Chichester) Limited [8110]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

Plan area is capable of accommodating a greater housing quantum to facilitate development and meet objectives of Local Plan. Council have failed to provide sufficient justification for not meeting housing need in full and have not suitably considered unmet need from adjoining authorities. Council's position of growth is predicated on basis of A27 not having sufficient capacity to accommodate higher growth. Evidence base (Transport Study 2023) contradicts position.

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Landacre (Chichester) Limited. The submission covers the general principles of the Local Plan, but has a focus on land at New Bridge Farm, Clay Lane Chichester, which is in our client's control. The land is shown on the attached context plan (land outlined in purple) included at Appendix 1 and hereon referred to as the site.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Council's Local Plan, or at least through an allocation of numbers to the Parish, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

☒ Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period

☒ The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

2.7 It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.8 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the Transport Study (2023) which concludes that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that our client do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.9 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesignated and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts. The absence of consideration of additional improvements works appears to be a significant oversight in the preparation of the Transport Study and overall plan making.

2.10 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated



on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure in Transport Study, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF, do not appear to exist and the Plan could be considered unsound on this point alone.

2.11 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.12 It should also be noted that the draft Plan does not therefore address any requirements in relation to unmet housing need of neighbouring authorities. Nor does it contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015. The subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.13 Given that our client does not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.14 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.15 It should also be noted that the plan does rely on the delivery of Neighbourhood Plan and / or Small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.16 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst my comments are noted above that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.17 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Development in Chichester City

3.1 Our clients land is located within Chichester City on land north of Clay Lane. The draft Local Plan sets out that the city of Chichester is the main settlement with a population of around 29,193(4) and is the principal location for the provision of higher education and shopping facilities. The city is renowned for its cathedral, its historic heritage and university and is the largest centre of employment in the plan area. The Plan goes on to state that most new development will be well located in and around the main settlements of Chichester, together with Tangmere and Southbourne.

3.2 As would be expected, the Local Plan allocates a significant proportion of housing to the city, which includes a site specific allocation of 1,600 homes to the west of Chichester under Policy A6 (part of current Local Plan allocations), 680 homes to the east under Policy A10, 500 homes to Westhampnett and 585 homes at Shopwyke Lakes. A further allocation of housing numbers for 270 homes under Policy A2 are proposed for Chichester City to be delivered as part of a Neighbourhood Plan for the area site allocations DPD.

3.3 The proposed 270 home allocation should comprise a minimum figure, which for the reasons set out above in relation to the A27 would be feasible. It should also set out that the Council should consider a mix of both city centre and edge of city sites to ensure a mix of house types and sizes, with town centre more likely to comprise flats and edge of settlement a mix of 1-4 bedroom homes, which will include family homes.

3.4 Our position on the approach to further allocations and the need for clear timescales to ensure soundness of the Plan is set out at 2.13-2.16 above.

### 4 Suitability of land New Bridge Farm, Clay Lane, Chichester

4.1 The site covers an area of approximately 3.1 hectares and located to the North-East of Fishbourne. The site comprises of an open field, bordered by mature foliage and fencing. The site is reasonably flat. The frontage is on the Southern boundary of the application site, which benefits from access to Clay Lane. It could be suitable for a quantum of development between 50-70 dwellings.

4.2 Access to the site is via an existing agricultural access from Clay Lane, which adjoins the southernmost corner of the site. The potential means of access has been the subject of a formal pre-application enquiry with WSCC as highway authority. This confirmed that a suitable means of access could be achieved for circa 70 dwellings.

4.3 Whilst the access would go through part of the proposed wildlife corridor to the west of the city, the upgrade of the access is not considered to undermine the overall intentions or integrity of the wildlife gap. However, our client would maintain that a wildlife corridor would better serve the area to the west of Fishbourne, rather than to the west of city. This is an uninterrupted route, as opposed to that currently proposed.

4.4 The site is located within flood zone 1, with a small area of surface water flood risk area identified outside of the site, along the Western boundary.

4.5 The site is located to the North-East of the village of Fishbourne, which comprises a settlement of approximately 2,325 people. Whilst the site does not directly adjoin the settlement boundary, the site is abutted by the approved development scheme at White House Farm Development. The site is therefore enclosed by recently approved development to the north and east. Furthermore, to the South, on the other side of Clay Lane an application for 25 dwellings was approved under reference CC/17/03117/FUL and the A27 embankment to the west. Therefore, it is reasonable to say that the site is enclosed by an established principle of development.

4.6 The site also benefits from direct connection to the public footpath network, which runs along the western and northern boundaries. This continues west through White House Farm (1,600 home allocation) and onwards to the city centre.

4.7 The site has the potential to deliver homes in a sustainable location, on a site that would effectively comprise an infill form of development. The site is suitably located to deliver housing without harm to cultural heritage of the city.

### 5 Conclusion

5.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, we consider that the Plan area is capable of accommodating a greater housing quantum. This will facilitate development and meet the objectives of the Local Plan. The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining

authorities. The latter is particularly relevant given constraints of the SDNP. The Council's position of growth is predicated on the basis of the A27 not having sufficient capacity to accommodate a higher growth of 535 dpa. Its own evidence base (Transport Study 2023) contradicts this position and therefore the Council should at least be meeting their local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.

5.2 At present, the Plan fails to be positively prepared and is inconsistent with the NPPF. On the basis that the Council don't reconsider their position, we wish to be present at the relevant Examination hearings to represent our clients' interests and further discuss the views set out in this submission.

**Change suggested by respondent:**

Council should at least be meeting local housing need and also considering what part it can play with meeting unmet needs for adjoining authorities.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/swn>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Direct development away from areas where there is reliance on cars in favour of more housing in the city on brownfield sites.

**Full text:**

New development is not being directed away from areas where car use would be most prevalent. 2000 homes are planned west of Chichester from Fishbourne to Southbourne. This will not reduce reliance on cars. There are no plans for upgrading or helping to mitigate the pressure on the A259 feeding into the A27.

**Change suggested by respondent:**

Direct development away from areas where there is reliance on cars in favour of more housing in the city on brownfield sites.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Development should be more focused on Chichester City to minimise traffic generation

**Full text:**

1) Development is patently not located or designed to minimise traffic generation. Unless there is a fully integrated and planned modal shift requiring substantial investment car use will rise exponentially. Locating so much housing out of the city in areas which have minimal facilities will lead to many more car journeys. If your nearest shop or pharmacy is 2/3 miles away are you going to wait for a bus scheduled every 30 mins, walk 40 mins each way or get in the car?

**Change suggested by respondent:**

Housing allocation to be located more to the city.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Northgate Properties Ltd [8108]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

We agree that the spatial strategy for delivering growth and development should focus on Chichester city as the main sub-regional centre and most sustainable location with a wide range of services and facilities. However, there are self-evident constraints to further strategic scale development at the settlement itself because of its historic setting, the A27 to the south and east, the harbour AONB to the west and the national park in the north.

**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
  - Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.
- Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. A question could be raised over the legality of the Regulation 19 Plan as it has not been reviewed within 5 years of the last Plan, which was adopted in July 2015. On the Council's own admission the current Regulation 19 Local Plan fails to meet objectively assessed need (OAN) of 638 dpa outside the national park. However, without any properly evidenced 'duty to cooperate' statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

We support the local authority in its attempts to navigate what is a challenging situation in relation to housing delivery within the district, however at this stage we believe the Plan, as drafted, fails to meet the 'positively prepared', 'effective', and 'consistent with national policy' tests and therefore could be interpreted as unsound.

In a bid to assist the process, we have collated our thoughts on how the Regulation 19 Local Plan could be improved below.

#### Local Plan Policies

These comments deal with the proposed Spatial Strategy (Policy S1) Settlement Hierarchy (S2), policies H1, H2 H3 and NE4. We also propose a new policy H4.

#### Policy S1- Spatial Strategy

Policy S1 deals with the spatial strategy of the plan. It has been informed by the role of each settlement within a hierarchy based on its facilities and services.

We agree that the spatial strategy for delivering growth and development should focus on Chichester city as the main sub-regional centre and most sustainable location with a wide range of services and facilities. However, there are self-evident constraints to further strategic scale development at the settlement itself because of its historic setting, the A27 to the south and east, the harbour AONB to the west and the national park in the north. Focusing growth close to the city would however still reinforce its role as a sub-regional centre and locating a significant proportion of development in or around Chichester city ahead of the second tier settlement hubs would reduce the need to travel to facilities and deliver sustainable development.

#### Policy S2 – Settlement Hierarchy

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

#### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

As indicated earlier, without any properly evidenced 'duty to cooperate' statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

#### Policy H2 – Strategic Site Allocations and Policy H3 – Non-Strategic Parish Allocations

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

#### Longer Term Growth Requirements

Paragraph 22 of the NPPF says strategic policies should look ahead over a minimum 15-year period from the date of the adoption of a plan to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. This justifies the proposed end date of the Plan of 2039. However, the NPPF goes on to state that where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.

Paragraphs 5.11-5.14 of the draft Plan says although its focus is on the development needs of the plan area up to 2039, some initial consideration has been given to the concept of a new settlement to accommodate potential longer term growth needs. This arises from some reservations about whether it will be appropriate in the longer term to continue to rely on existing sources of supply (e.g. urban extensions and urban intensification).

We agree that a new settlement would have a valuable role to play in meeting future housing need of the district and support the lower-case policy text of the Plan at paragraphs 5.11-14. However, bearing in mind the national policy guidance for a 30 year or so vision to allow for the planning and site identification for a new settlement, we see no reason why that part of the lower-case text at paragraph 5.14 of the Regulation 19 Plan should not be elevated into actual Plan policy. Such an approach would deliver benefits to the plan anyway in offering a 'land supply reserve' in the event the Examiner for the Local Plan finds that it should meet OAN in accordance with the 'positively prepared' test. If a new settlement is needed to contribute to OAN, it would then form part of the development strategy of the Plan and justify the policy in principle.

We therefore propose a new Policy H4 – A New Settlement as set out in section 6 below.

#### Policy NE4 – Strategic Wildlife Corridors

The Council produced a Strategic Wildlife Corridor background paper in December 2018 and another technical consultation document in July 2021. Neither document has been updated for the present Regulation 19 Local Plan. It is unclear therefore whether the ecological interest has changed and whether it can still inform the extent and location of the defined wildlife corridors in the current Plan. We say this on the basis that standard habitat surveys are usually required to be reviewed and updated after 18 months.

Paragraph 179(a) of the NPPF sets out policy to protect and enhance biodiversity and geodiversity and states that Plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national, and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them.

We therefore agree that the identification of wildlife corridors in the emerging Plan is consistent with national policy but without any up to date proportionate evidence of biodiversity interest we would question whether their extent and location as shown on the relevant proposals maps have been justified.

As it stands, the wording of Policy NE4 also goes beyond the purpose of the policy which is the 'safeguarding of wildlife rich habitats and wider ecological networks'.

Policy NE4 states development will only be permitted where it would not lead to an adverse effect upon the ecological value, function, integrity, and connectivity of the strategic wildlife corridors. It does not resist development in principle and so long as impacts can be adequately mitigated it should be granted.

This policy principle therefore makes redundant policy test 1 which introduces a sequential test for preferable sites outside a corridor. The test is in conflict with the underlying purpose of the policy which is to safeguard wildlife corridors from adverse harmful impacts that cannot be mitigated. Test 1 should therefore be deleted.

Development outside or in close proximity to a wildlife corridor should not be subject to the policy requirements of NE4 either and the designation should end at its boundary. 'Close proximity' is vague and would introduce uncertainty to the policy. If development does not undermine the connectivity and ecological value of the corridor, then there is no proper basis for the policy restriction on such development. We therefore propose the deletion of the second part of the policy as well.

**Change suggested by respondent:**

Focusing growth close to the city would still reinforce its role as a sub-regional centre and locating a significant proportion of development in or around Chichester city ahead of the second tier settlement hubs would reduce the need to travel to facilities and deliver sustainable development.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Northgate Final - <https://chichester.oc2.uk/a/sf9>

**Object**

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Berkeley Strategic Group (Mr Charlie Rollet-Manus) [7916]

**Summary:**

Berkeley considers that there is greater capacity to deliver housing at Chichester City than is identified in the draft plan, on sites, such as Lawrence Farm, which are consistent with the spatial strategy having been identified as being free from constraints which prevent their development.

**Full text:**

Berkeley supports focussing the majority of growth at the sub-regional centre of Chichester City, with the majority of strategic allocations (both extant and new) proposed within or adjacent to the city. Policy S1 refers to a total of six allocations around Chichester City, which could deliver 4,080 homes.

Berkeley objects to the level of growth proposed at Chichester City as it fails to adequately reflect the suitability and capacity of the city to accommodate growth.

Whilst it has been acknowledged that Chichester City is the most appropriate location for development, Berkeley believes that there are additional sites at the city that can come forward in the plan period as they are not subject to the constraints which have been identified as restricting the ability of the District to meet its housing need in full. Berkeley therefore objects to this policy.

**Change suggested by respondent:**

Berkeley believe that additional housing sites should be allocated at Chichester City to better reflect the Spatial Strategy and more fully meet the identified housing need.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Crownhall Estates Limited & Martin Grant Homes [8115]

**Agent:** Henry Adams LLP (Mrs Rebecca Tier, Senior Planner) [8116]

**Summary:**

Object on grounds that higher level of growth could be accommodated. Plan does not address unmet need of neighbouring authorities. Allocation in Loxwood should be based on higher growth scenario.

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation in relation to the land at Headfoldswood Farm, Loxwood, RH14 0SX, as shown on the attached Masterplan Promotional Document, and hereon referred to as the site.

1.2 This representation will provide a written responses in relation the questions in the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District to be delivered through an appropriate strategic allocation policy within the Council's Local Plan or through an Supplementary Planning Document (SPD).

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that we do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as

yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given the scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the Plan relies on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst the strategy in the comments above could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent. However, due to the lack of evidence to demonstrate this, the 535 dpa figure should be capped. Given the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Development in Loxwood

3.1 Our client's land is located to the west of the village of Loxwood, which is situated to the northeast of the District. The High Street (B2133) runs through the village, connecting the A281 and A272. For a detailed context appraisal of the site and masterplan vision, please see attached the Masterplan Promotional Document. The site was submitted for the Council's call for sites in February 2019 and is included in Council's latest HELAA.

3.2 The Draft Local Plan defines Loxwood as a service village with local facilities and services, these include an infant and junior school, as well as a medical practice, a local shop and community facilities, including a village hall. The village has been identified in the Local Plan as a suitable location for a higher level of growth as it has suitable HELAA sites which could come forward through the Neighbourhood Plan process.

3.3 It is agreed that a strategic expansion to the west of Loxwood is the best option for growth in the north-eastern area of the District as there are fewer constraints within Loxwood in comparison to other villages within the north-eastern area of the District.

3.4 Policy A15 of the Draft Local Plan states that land will be allocated within the revised Loxwood Plan for a minimum of 220 dwellings and supporting facilities and infrastructure. This is based on a downwards adjustment scenario for Loxwood, but it should be noted this figure is closer to the lower growth scenario of 200 dwellings.

3.5 The Council acknowledges in the SA that the highest growth scenario of 1,650 homes could be justified but there are concerns regarding the deliverability of homes due to the potential scale of allocations to meet the higher growth figure which in turn could affect the Council's ability to deliver the housing within the five year period. However, the Plan currently seeks to allocate reasonably sized housing allocations on a number of small-scale housing sites which by this logic could equally affect the Council's ability to meet the Council's five year housing supply. It is recommended that the middle, higher growth scenario of at least 825 homes is sought, which would allow for meaningful growth in order to meet the needs generated by the new community, such as the identified primary school. The higher housing figure would also provide the benefit of more affordable housing provision for the north-eastern area of the District.

3.6 Loxwood Parish Council have produced a revised Draft Neighbourhood Plan which seeks to allocate 126 dwellings plus 17 carried forward from the Made Loxwood Neighbourhood Plan, providing a total of 143 dwellings. The Draft Neighbourhood Plan was submitted to the Council under Regulation 14 in December 2020. It is noted in response to the Reg 19 Local Plan consultation, that Loxwood Parish Council will be objecting to policy A15 and the increased housing numbers of 220 dwellings on sustainability grounds, with specific reference to water neutrality. The recent Parish Council meeting notes also indicate that there is currently little appetite to undergo another Neighbourhood Plan review, which will likely require additional resource and cost.

3.7 There is concern that relying on the Neighbourhood Plan to allocate specific sites in Loxwood, will result in unnecessary delay to delivery of housing in this area given the points raised above. Policy A15 is not therefore considered precise and does not provide any clear timetable for delivery in housing within Loxwood within the Plan period. It is therefore recommended that the allocation of housing sites in Loxwood should be based on a higher growth scenario of at least 825 homes which should be delivered either through a Local Plan policy allocation or within an SPD, with a clear timetable of when the SPD will be produced by the Council.

### Water Neutrality

3.8 One of the constraints of the north-east of the District is the requirement is for all new development to meet water neutrality, to ensure that any new it does not impact further on the habitat site comprising the Arun Valley Special Area of Conservation (SAC) or the Arun Valley Special Protection Area (SPA) & Ramsar site, in terms of groundwater abstraction within the Sussex North Water Supply Zone. It is anticipated that further advice and a mitigation strategy will be created by the Council and its partners to demonstrate how developments can achieve water neutrality. However, at present applicants are required to provide a water neutrality strategy to demonstrate how the development can achieve water neutrality.

3.9 To provide the Council with reassurance that the site is deliverable despite this constraint, our client has commissioned an initial water strategy based on a development of approximately 250 dwellings which includes provision for offsetting. The initial strategy indicates that water neutrality could be achieved for development on the site through water efficient fixtures and fittings, reuse of harvested water through greywater recycling for flushing toilets and offsetting through water efficiency upgrades on an educational facility located within the Sussex North Water Supply Zone. It would therefore appear on the basis of the work undertaken to date, that it would be possible for future development on this site to achieve water neutrality.

### 4. General Policy requirements

Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs - object

4.1 The above policy sets out a requirement for 124 pitches across the Plan period, which is to be provided for by allocation of pitches on strategic allocation sites proposing 200+ homes.

4.2 Whilst we understand that there may be a district wide need, we understand that the underlying rationale underpinning this strategic approach is that insufficient sites came forward as part of the Council's Call for Sites process. However, whilst this tells us about availability of sites, it doesn't dictate the appropriateness of locations for gypsy traveller provision. It should also be noted that the proposed allocations would not accommodate the overall need and there is no clear quantifiable policy requirement to deliver this need. Accordingly, the approach is not considered to be robust.

4.3 What is clear is that plots are currently available in other areas of the district that have not been taken up by the Council for allocation (namely HELAA ref. HB10028).

4.4 From our understanding there appears to be a clear absence of information regarding the requirements for pitch provision in localities and the site specific needs that are required to be met. We have not yet seen any evidence from the Council in respect of engagement with the gypsy traveller community in respect of a desire to be located on suburban residential sites – which we consider would contradict with the typical locations of gypsy traveller pitches which are located on rural sites on the periphery of rural settlements.

4.5 Due to the scale and form of the site and specific access names (larger HGVs for static homes and touring caravans) it makes it very difficult to design and suitable means of access that does not appear overly engineered, within a residential housing estate. No consideration appears to have been given to how this can be accommodated within such a site.

4.6 At this time, we consider it would not be appropriate to include such provision until further evidence has been provided on suitability of the approach, need in this specific location and suitability as part of housing allocation of this scale, with a single point of access.

4.7 On the basis of the above, we object to the proposed policy requirement.

#### 5. Conclusion

5.1 Our client's land is ideally placed to be able to fulfil the sustainable expansion to the west of Loxwood and the much needed, identified housing within the north-eastern plan area. The site measures 57.334 hectares and can be considered as a strategic housing site, west of Loxwood, that would deliver a higher growth of housing within this village and would appear to be able to meet water neutrality requirements. This would also support the viability of the services and facilities in the northern villages. This could include a sustainable addition to the existing village of Loxwood, result in significant enhancements to its existing services and facilities, improved links along, and connectivity to the Wey & Arun Canal and provision of at least 825 homes.

#### Change suggested by respondent:

Object on grounds that higher level of growth could be accommodated. Plan does not address unmet need of neighbouring authorities. Allocation in Loxwood should be based on higher growth scenario.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sfb>  
Masterplan promotion document - <https://chichester.oc2.uk/a/sfc>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Westhampnett Parish Council (Ms Beccy Anderson, Parish Clerk) [1055]

#### Summary:

Westhampnett Parish Council question whether the plan is procedurally sound; there is a need to return to the Regulation 18 stage.

On that basis, we have the right to make representation in person to the individual appointed as the planning inspector.

#### Full text:

Westhampnett Parish Council would like to point out that the current local plan was adopted in July 2015, and under Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 various bodies and stakeholders were notified in June 2017 that the council was preparing a plan, and invited to comment about what that plan ought to contain: consultation on the preferred approach closed in February 2019.

Since that time, there has been a marked shift in local authority obligations on housing requirements; feedback received on the Regulation 18 consultation is outdated, and we would question whether the plan is procedurally sound; there is a need to return to the Regulation 18 stage.

On that basis, we have the right to make representation in person to the individual appointed as the planning inspector.

#### Change suggested by respondent:

Plan for a range of new housing that meets the needs of local people, that does not overburden any one place, including taking into account changing requirements at different stages of life, affordable housing and specialist accommodation; helping young people and families to stay in the area;

Plan to provide local infrastructure to support new development before approving such, and seek opportunities to address existing infrastructure problems, such as those relating to the A27 and wastewater treatment;

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object****Document Element:** Policy S1 Spatial Development Strategy**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]**Summary:**

The Plan promotes an over-reliance on developing the east-west corridor, with unsustainable levels of development between Chichester and Havant. Combined with the Havant Borough strategic site at Southleigh (2,100 homes) this leads to a delivery of 5,300 new houses in the narrow corridor between Chichester Harbour AONB/SSSI and the South Downs National Park. The ecological and landscape implications of this over-development are huge; both for biodiversity and for local communities.

**Full text:**

The Plan promotes an over-reliance on developing the east-west corridor, with unsustainable levels of development between Chichester and Havant. Combined with the Havant Borough strategic site at Southleigh (2,100 homes) this leads to a delivery of 5,300 new houses in the narrow corridor between Chichester Harbour AONB/SSSI and the South Downs National Park. The ecological and landscape implications of this over-development are huge; both for biodiversity and for local communities. Just some of the impacts include inadequate waste water infrastructure; lack of transport infrastructure; inadequate community facilities including schools and doctors services. Potential ramifications are increased congestion, light and noise pollution; waste water discharges; recreational disturbance, to name just a few.

The additional burden of this increased population will further compound and render irreversible the ecological decline of Chichester Harbour SSSI. As a general comment, the plan in this area is overly reliant on the delivery of green-field sites, raising important concerns over sustainability; agricultural production, food security, groundwater and surface water drainage and flooding.

**Change suggested by respondent:**

A significant reduction in the housing allocation in the east-west corridor is required.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqj>**Object****Document Element:** Policy S1 Spatial Development Strategy**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]**Summary:**

The majority of the housing is to be located in the East-West Corridor and much of it in semi-rural villages, which, while only 270, are in Chichester City. If this was sensibly master planned it would be capable of achieving more. The absence of any masterplan for the historic city of Chichester and the entire district of Chichester shows a complete lack of vision and reveals an overly simplistic desire to create an unacceptable urban sprawl between Chichester and the border of Havant District to the west and up to the border with Arun district in the east.

**Full text:**

The majority of the housing is to be located in the East-West Corridor and much of it in semi-rural villages, which, while only 270, are in Chichester City. If this was sensibly master planned it would be capable of achieving more. The absence of any masterplan for the historic city of Chichester and the entire district of Chichester shows a complete lack of vision and reveals an overly simplistic desire to create an unacceptable urban sprawl between Chichester and the border of Havant District to the west and up to the border with Arun district in the east.

**Change suggested by respondent:**

Plan for more housing for the city. Exhaust brownfield sites rather than using greenfield sites.

**Legally compliant:** Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy S1 Spatial Development Strategy**Respondent:** Mrs Georgina Armour Glasius [7925]**Summary:**

The plan doesn't go far enough in addressing the climate crisis / threats to the local environment. There's a lack of detail regarding properly adequate walking and cycling provision to prevent us from building anything but car-dependent enclaves. This strategy won't prevent coastal squeeze. Along the A259, we are losing prime-grade fields / the sense of separate villages. Large tracts of rural Sussex will become a long line of urban sprawl. Our harbour will continue to be damaged by development. The 'solution' to tanker away the sewage from developments without facing up to sewage pollution is ludicrous.

**Full text:**

The plan doesn't go far enough in addressing the climate crisis / threats to the local environment. There's a lack of detail regarding properly adequate walking and cycling provision to prevent us from building anything but car-dependent enclaves. This strategy won't prevent coastal squeeze. Along the A259, we are losing prime-grade fields / the sense of separate villages. Large tracts of rural Sussex will become a long line of urban sprawl. Our harbour will continue to be damaged by development. The 'solution' to tanker away the sewage from developments without facing up to sewage pollution is ludicrous.

**Change suggested by respondent:**

We shouldn't build on greens spaces just because they are 'desirable' places to live. Use brownfield sites or convert office blocks into flats.

New housing should be dispersed throughout an area not in large chunks just because it's advantageous for developers to build large-scale developments.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Mr David Lock and Ms Melanie Jenkins [7930]

**Agent:** Mr Jonathan Lambert [7926]

**Summary:**

Berkeley considers that there is greater capacity to deliver housing at Chichester City than is identified in the draft plan, on sites, such as Raughmere Farm, which are not constrained by issues such as the capacity of the A27, sewage treatment and water neutrality which have been purported by the Council as reasons why the housing need cannot be met in full.

**Full text:**

Berkeley supports focussing the majority of growth at the sub-regional centre of Chichester City, with the majority of strategic allocations (both extant and new) proposed within or adjacent to the city. Policy S1 refers to a total of six allocations around Chichester City, which could deliver 4,080 homes.

Berkeley objects to the level of growth proposed at Chichester City as it fails to adequately reflect the suitability and capacity of the city to accommodate growth.

Whilst it has been acknowledged that Chichester City is the most appropriate location for development, Berkeley believes that there are additional sites at the city that can come forward in the plan period as they are not subject to the constraints which have been identified as restricting the ability of the District to meet its housing need in full. Berkeley therefore objects to this policy.

**Change suggested by respondent:**

Berkeley believe that additional housing sites should be allocated at Chichester City to better reflect the Spatial Strategy and more fully meet the identified housing need.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Spiby Partners Ltd [7301]

**Agent:** Henry Adams Planning Ltd (Ms Ellie White) [7536]

**Summary:**

Understand approach Council has taken in selection of sites to meet 535 dpa but significantly lower than standard method figure of 638 and previously consulted figure of 650 dpa. Paragraphs 5.6.5 and 11.2.3 of Transport Study indicate 700 dpa could be accommodated (in southern plan area) by mitigation proposed for 535 dpa scenario plus additional mitigation at Portfield roundabout. Council do not appear to have considered increased housing requirement could assist with funding necessary highway improvements and this should be further reviewed in order to aim to meet minimum of 638 dpa. Council have failed to provide sufficient justification for not meeting housing need in full and have not suitably considered unmet need from adjoining authorities.

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Spiby Partners. The submission covers the general principles of the Local Plan but has a focus on Land east of Foxbridge Drive and south of the B2145, Hunston. The land is shown on the attached plan HA Appendix 1: Site Location Plan, and hereafter referred to as 'the site'.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Local Plan or at least through the allocation of numbers to the Parish, who in turn would select sites through a Neighbourhood Plan allocation. Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1: Spatial Strategy, sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1: Meeting Housing Needs sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

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2.5 The SA discusses the potential growth scenarios and confirms two points:

- (i) Standard method housing figure for Chichester (excluding South Downs National Park) is 638 dwellings per annum, or 11,484 in total over the Plan period; and
- (ii) The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa).

2.6 Of particular note is that point ii. seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. It should be noted here that the 435 dpa figure within the 2015 Local Plan was below the identified need of



505 dpa. This reduced housing figure was accepted on the basis of an early review, but this early review did not take place.

2.7 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan figure, amounting to 575 dpa. This is lower than both the standard method figure of 638 dpa and the previously consulted Preferred Approach figure of 650 dpa which accommodated some unmet need from the South Downs National Park Authority.

2.8 This draft Local Plan seeks to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network and constraints on Waste Water Treatment Works. The Council therefore arrive at a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

2.9 The Transport Study (January 2023) is the key document on which the Council rely to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study notes that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works.

2.10 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure in the Transport Study, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF, do not appear to exist and the Plan could be considered unsound on this point alone.

2.11 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need. This is 6

of relevance given that the previous Local Plan underprovided against the OAN, and when considering the scale of development expected for adjoining authorities, including the highly constrained SDNP.

Given that it is not accepted that the A27 capacity matters present a ceiling in terms of housing delivery, it is not accepted that the Plan and associated SA demonstrate that reasonable alternatives have been considered. The plan is not therefore positively prepared, nor is the approach to housing figures justified.

Effective?

2.12 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.13 It should also be noted that the Plan does rely on the delivery of Neighbourhood Plan and/or Small Site Allocations DPD. This is set out under Policy H3 in the draft document.

This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.14 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst the comments are noted above that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the Supplementary Development Plan Documents in order to help ensure it is completed.

Is the plan consistent with National Policy?

2.15 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify the alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Duty to Cooperate

3.1 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

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3.2 The draft Plan does not address any need requirements in relation to unmet housing need of neighbouring authorities. Nor does it contain evidence to suggest that these matters have been discussed with the adjoining Authorities.

3.3 The housing figures presented do not account for unmet need from the South Downs National Park Authority. Whilst a Statement of Common Ground has been referred to, it has not been published and therefore it is not possible to determine whether the decision not to make any provision for the National Park is sound.

3.4 Further, Arun District Council has confirmed that it will be objecting to the Plan as currently proposed on the basis that it has a significant housing need. This is likely to be further influenced by Chichester not meeting its own needs, a repeat of the 2015 situation which resulted in Arun having to address some of this within its 2018 Local Plan.

3.5 If the Plan is to proceed on the basis of providing 575 dpa as per Policy H1, this will amount to a shortfall of 1,100 dwellings over the plan period. Without any Statements of Common Ground, it is unclear as to how this shortfall will be addressed.

### 4 The Site and its suitability

4.1 The Site comprises approximately 4.25 hectares of agricultural land located to the south of the B2145 and east of Foxbridge Drive. Agricultural access is taken from the B2145 which abuts the entirety of the northern boundary. The western boundary adjoins residential property Oakdene and properties at Foxbridge Drive and Farm Close. The Site is not located within or in close proximity to any land at risk of flooding, nor is it in proximity to any heritage assets.

4.2 In policy terms, the Site is located outside but adjoining the settlement boundary to the west and is otherwise unconstrained. The latest Housing Economic Land Availability Assessment (HELAA) (2021) assessed the Site positively, with potential to deliver approximately 80 dwellings in the medium term.

4.3 In terms of accessibility, the Site is sustainably located and well connected with the local footpath and cycle network. There is a surfaced path that runs along the northern boundary of the site, largely separated from the road behind a hedge. This is not a designated footpath as it forms part of the National Cycle Network Route 2 however, it is used as such as it connects into the tow path that runs along the Chichester Canal which travels north into Chichester or south towards the sea. A footpath is also located along the B2145, providing access to services within the village.

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4.4 The Tow Path travelling into Chichester is also part of National Cycle Network Route 2 which connects directly into the heart of the city. This then connects into other cycle networks north into Kent and west towards Portsmouth and beyond.

4.5 Initial feasibility studies determine that approximately 3 hectares of the site could be suitable for residential development. The area for development would be focused around the western boundary whilst the remaining area would comprise formal and informal open space alongside additional planting and a robust landscaping strategy that will respect the Ancient Woodland at Hunston Copse whilst ensuring net biodiversity gain and green infrastructure connectivity with the biodiversity corridors that have been identified to the north and east. Creating a landscape buffer to the east will also create a clear, defensible boundary to the village.

4.6 The allocation and development of this land would provide a number of benefits to the local community;

- > The Site is well-connected to local services and facilities, within walking distance of the village facilities such as the Hunston Store and Post Office, pub, village hall, playing fields and canoe club;
- > Para GA4.1 specifically states that traffic issues continue to cause major concerns within the parish. Being located north of the village with direct access onto the B2145 means the site would minimise additional traffic through the village;
- > Proposals would include additional footpaths north-south to ensure connectivity away from the main road whilst linking with existing footpath 188 which runs east-west around the site;
- > The Site is not subject to any environmental designations or constraints and is not liable to flooding;
- > A suitable landscaping strategy would ensure net biodiversity gain and green infrastructure connectivity with existing biodiversity corridors to the north and east;
- > A landscape buffer to the east would create a clear, defensible boundary to the north-eastern edge of the village;
- > Provision of formal and informal open space would be of benefit to residents throughout the community and to the north of the village especially;
- > The Site is not constrained and does not rely upon significant infrastructure improvements in respect of delivery;
- > Development proposals would include a mix of high-quality homes, with the potential to include starter homes, bungalows suitable for the elderly and affordable housing to meet the varying needs of the community; and

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> Any future development would make contributions to local facilities and infrastructure.

## 5 Conclusion

5.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, this is significantly lower than the standard method figure of 638 and previously consulted figure of 650 dpa. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa scenario plus some additional mitigation at the Portfield roundabout.

5.2 The Council do not appear to have considered that the increased housing requirement could assist with funding the necessary highway improvements and thus this should be further reviewed by the Council in order to aim to meet the minimum of 638 dpa.

5.3 The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the National Park.

### Change suggested by respondent:

Increase housing number per annum; site proposed as new allocation - see attachment

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sgg>

## Support

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

We support the overall spatial strategy within the Draft Plan and agree with the continuing stance that Southbourne should act as a sustainable settlement hub with the potential for new residential development proportional to its size and influence in the District.

**Full text:**

We support the overall spatial strategy within the Draft Plan and agree with the continuing stance that Southbourne should act as a sustainable settlement hub with the potential for new residential development proportional to its size and influence in the District.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Chichester Harbour Conservancy Objects to Policy A11, A12 and A13, for reasons that will be explained in response to each individual policy. It is difficult to accept this is sustainable development.

**Full text:**

Chichester Harbour Conservancy Objects to Policy A11, A12 and A13, for reasons that will be explained in response to each individual policy. It is difficult to accept this is sustainable development.

**Change suggested by respondent:**

Delete A11, revised A12 and A13.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Premier Marinas Limited [7981]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Policy S1 requires amendment as the use of 'small-scale' is not effective as it is not specific, and therefore propose that the policy is reworded accordingly in accordance with paragraph 35(c) of the NPPF.

**Full text:**

The draft policy makes provision for non-strategic growth beyond the site allocation identified, including small-scale employment, tourism or leisure proposals. We would propose that the wording 'small-scale' is not effective as it is not specific, and therefore propose that the policy is reworded accordingly in accordance with paragraph 35(c) of the NPPF:

b. "Local community facilities, including village shops, that meet identified needs both within the village, neighbouring villages and surrounding smaller communities, and also the wider needs of the District in relation to the strategic aims of the Plan, and will help make the settlement more self-sufficient in the immediate and long-term; and

c. Small scale employment, tourism or leisure proposals related to sustaining and enhancing existing sites and communities".

It should be recognised that whilst clearly the majority of major development will be directed towards main settlement hubs, that the unique characteristics of the District should be considered in terms of offering further specific development opportunities to sustain the economic viability and housing capacity required.

The Plan sets out a requirement to consider in the next review, the allocation of a strategic new settlement, in order to meet housing need. As such, development which is sustainable and capable of contributing towards development needs in the shorter term should be considered favourably in line the NPPG.

**Change suggested by respondent:**

Propose that section 6 of the policy is reworded accordingly in accordance with paragraph 35(c) of the NPPF:

b. "Local community facilities, including village shops, that meet identified needs both within the village, neighbouring villages and surrounding smaller communities, and also the wider needs of the District in relation to the strategic aims of the Plan, and will help make the settlement more self-sufficient in the immediate and long-term; and

c. Small scale employment, tourism or leisure proposals related to sustaining and enhancing existing sites and communities".

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxc>

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Premier Marinas Limited [7981]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle

**Full text:**

The draft policy makes provision for non-strategic growth beyond the site allocation identified, including small-scale employment, tourism or leisure proposals. We would propose that the wording 'small-scale' is not effective as it is not specific, and therefore propose that the policy is reworded accordingly in accordance with paragraph 35(c) of the NPPF:

b. "Local community facilities, including village shops, that meet identified needs both within the village, neighbouring villages and surrounding smaller communities, and also the wider needs of the District in relation to the strategic aims of the Plan, and will help make the settlement more self-sufficient in the immediate and long-term; and

c. Small scale employment, tourism or leisure proposals related to sustaining and enhancing existing sites and communities".

It should be recognised that whilst clearly the majority of major development will be directed towards main settlement hubs, that the unique characteristics of the District should be considered in terms of offering further specific development opportunities to sustain the economic viability and housing capacity required.

The Plan sets out a requirement to consider in the next review, the allocation of a strategic new settlement, in order to meet housing need. As such, development which is sustainable and capable of contributing towards development needs in the shorter term should be considered favourably in line the NPPG.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxc>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Hallam Land Management Limited [1696]

**Agent:** LRM Planning Ltd (Miss Kate Coventry, Senior Planner) [6627]

**Summary:**

Policy S1 (6) outlines how non-strategic provision is made for small scale housing developments consistent with the indicative housing numbers set out in Policy H3, however this does not identify an approach to medium scale sites. Consequently, the Local Plan should allocate small and medium scale sites for residential development.

**Full text:**

1 Introduction

1.1 These Representations have been prepared on behalf of Hallam Land Management Limited (hereafter 'Hallam'), in response to the Chichester Local Plan Review Proposed Submission Plan consultation.

1.2 Hallam is a strategic land promotion company operating throughout England, Wales and Scotland delivering land for new employment and commercial premises, housing, including specialist elderly housing, and mixed-use developments. Hallam has been acquiring, promoting, developing and trading in land since 1990. During that time, the company has established an outstanding record in resolving complex planning and associated technical problems in order to secure planning permissions for a whole range of different land uses to facilitate the delivery of new development.

1.3 Hallam control land to the west of Southbourne, to the north of the A259 and south of the railway line. Development of this land for new housing including specialist elderly accommodation, as shown in the accompanying Vision Document, would be consistent with the established Spatial Strategy; which is rightly retained in the consultation document. Similarly, development would contribute towards meeting the future housing needs of the District within the proposed Broad Location for Development (BLD) at Southbourne.

1.4 These Representations set out our support for the BLD drawn on the key diagram to the west and east of Southbourne. However, Hallam are seeking amendments to Policies S1, H1, H2, H8 and A13 to ensure that: the overall housing needs are met across the District, including early delivery and specialist accommodation; the flexibility sought early in the Submission Plan, at Policy S2 and H1, is carried through to the strategic allocations and locations; and, the BLD is distributed to the west and east of Southbourne.

1.5 Moreover, Hallam are proposing the allocation of small and medium scale sites at Southbourne within the Local Plan, to enable early delivery of housing and infrastructure, with the land under their control a suitable site for this allocation. Should the Council not allocate these sites, then the strategic allocations/locations policies need to be updated to reflect the requirement for the delivery of small and medium scale parcels which could form part of the larger sites.

1.6 In the context of the above, it is instructive to note that Chichester District has an older population than national average, which has been predicted to increase by 42% between 2021- 2039. The increasing need for specialist accommodation should be addressed through specific allocations within the Local Plan, rather than the proposed approach of Policy H8.

1.7 Our response is focused on the following matters:

- The Spatial Strategy, settlement hierarchy and the distribution of development across the District;
- The overall amount of new housing required within the new plan period;
- The need for specialist accommodation;
- The status of Southbourne and the role and function it plays; and
- The strategic allocation proposed at Southbourne in Policy AL13.

1.8 In preparing the Local Plan Review, the Council will need to ensure that it complies with paragraph 35 of the National Planning Policy Framework (NPPF) (2021) which sets out four tests to ensure the plan is 'sound'. These are as follows:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet needs from neighbouring areas are accommodated where it is practical to do so and is consistent with achieving sustainable development;

- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross- boundary strategic matters that have been dealt with rather than deferred, as evidenced by statements of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.9 We are mindful that the Government has recently published a consultation concerning potential amendments to the NPPF. Paragraph 1 of that consultation document indicates that the government is committed to “building more homes” whilst Paragraph 6 explains that the government “remains committed to delivering 300,000 homes a year by the mid-2020s”.

1.10 In the proposed revisions, paragraph 1 makes clear that the NPPF provides “a framework within which locally-prepared plans can provide for sufficient housing and other development in a sustainable manner.” At paragraph 60 the overall aim of a Local Plan is identified as meet[ing] as much housing need as possible with an appropriate mix of housing types to meet the needs of communities.

1.11 It is clear therefore that the potential amendments to the NPPF firmly intend that Local Plans, including this one, continue to provide a sufficient supply of housing land to meet identified needs.

## 2 Objectives and Spatial Strategy

### Objectives of the Local Plan

2.1 The Submission Plan has identified key challenges and opportunities that influence future planning, across the three areas of the District, and how it aims to address these through planning policies and proposals.

2.2 Within the consultation document, the strategic objectives presented by the Council are structured into specific categories, ensuring housing and neighbourhood objectives are clearly set out for the plan period.

2.3 Amongst these is the objective to increase housing supply; increase provision of affordable housing; and promote the development of mixed, balanced and well-integrated communities. These are consistent with the NPPF’s policy objective to significantly boost the supply of housing in paragraph 60. In this context, it is right that the Local Plan’s development strategy is founded on this objective, ensuring sustainable development which responds to social, economic and environmental considerations that meets the needs of the plan area.

2.4 These objectives frame the policies and proposals for future development across the plan area to create sustainable neighbourhoods; this demonstrates, as a matter of principle, that the Local Plan intends to be positively prepared and justified, albeit there are limitations on how this is achieved in practice when the policies and proposals are considered.

2.5 The NPPF states at paragraph 22 that strategic policies should look ahead over a minimum 15 year period from the date of the Plan’s adoption. The Local Plan aims to cover the period of 2021- 2039, which is 18 years. However, this plan has not been adopted yet and it is considered unlikely that this Local Plan will be adopted before 2024-25. Therefore, the Plan may not cover the required plan period of 15 years and the Council should extend the plan period to at least 2040 to ensure this requirement is met.

### Policy S1: Spatial Strategy

2.6 The Spatial Strategy is accompanied by the Key Diagram (Map 3.1), identifying the distribution of development and infrastructure provision across the plan area.

2.7 The strategy aims to build on the existing Local Plan, focusing growth at Chichester city, as the main sub-regional centre, and at two settlement hubs along the east-west corridor at Tangmere and Southbourne.

2.8 Policy S1 specifically identifies the broad approach to providing sustainable development, in accordance with the Local Plan Objectives, ensuring development is focused principally along the east-west corridor. It aims to distribute development in line with the settlement hierarchy, ensuring development is located in the larger and more sustainable settlements.

2.9 This accords with paragraph 20 of the NPPF which requires strategic policies to set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for housing, infrastructure, community facilities along with policies that seek to conserve and enhance the environment.

2.10 Paragraph 105 of the NPPF states that the planning system should actively manage patterns of growth in support of these objectives. With significant development being focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

2.11 Paragraph 69 of the NPPF sets out how small and medium scale sites can make an important contribution to meeting the housing requirement. Part d) identifies how working with developers to encourage the sub division of large sites could help to speed up the delivery of homes.

2.12 In this context, Policy S1 (6) outlines how non-strategic provision is made for small scale housing developments consistent with the indicative housing numbers set out in Policy H3, however this does not identify an approach to medium scale sites. Consequently, the Local Plan should allocate small and medium scale sites for residential development.

2.13 Should the Local Plan not allocate these scale sites, then there should be parcels within the BLDs identified as medium scale sites for early delivery in the plan period without prejudicing the BLDs. Policy S1 should be amended to include medium scale sites and to require flexibility to the housing target. This is discussed further in respect of Policy A13.

2.14 Policy S1 (7) states that strategic allocations and locations will be made through either this emerging Local Plan, the extant Site Allocation Development Plan 2014-2019 (or subsequent Site Allocation Development Plan Document (DPD)) and through Neighbourhood Plans. Notwithstanding the allocations in the emerging Local Plan, the most appropriate future mechanism is the Site Allocations DPD, which has to meet the ‘tests of soundness’ rather than ‘basic conditions’. This more rigorous approach to plan making is better able to address the site selection process and assessment of delivery requirements that a strategic allocation will need to demonstrate, particularly when taking account of the scale of growth proposed at Southbourne.

2.15 Lastly, the final paragraph of Policy S1 states that to ensure that the Plan’s housing requirement is delivered, “the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in accordance with this Strategy”. The wording of this should be amended to state flexibility will be needed rather than may be needed, to ensure there is the ability to mitigate delays on allocations being brought forward by alternative proposals in order to meet the housing requirement over the plan period.

2.16 The use of the Authority Monitoring Report to control this is considered an acceptable approach, and policies A6 to A15 should reflect this requirement for flexibility. In practical terms, the LPA will need to consider performance in bringing forward and delivering large-scale development and enable alternative solutions where the required outcomes are not being achieved. This is discussed later in relation to Policy A13 specifically.

### Policy S2: Settlement Hierarchy

2.17 The consultation document sets out a Settlement Hierarchy which is to serve as the framework for the Council to achieve its vision for the plan

area, meet the scale of development required and enhance the quality of the built natural, historic, social and cultural environments, whilst sustaining the vitality of communities. This hierarchy seeks to deliver sustainable development that will support the role and function of different places within the plan area.

2.18 In this regard, Policy S2 is consistent with the NPPF acknowledging how “significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, improve air quality and public health.” (paragraph 105 refers). The Settlement Hierarchy ensures that new development is located in areas where residents have access to facilities and services and a range of public transport networks.

2.19 Chichester city is identified as the Sub-Regional Centre, with four Settlement Hubs being identified at East Wittering/Bracklesham; Selsey; Southbourne and Tangmere. This is a continuation of the existing spatial strategy in the Adopted Local Plan and consistent with the principle of locating new development at the most sustainable locations.

2.20 Southbourne is rightly identified as a Settlement Hub due to its range of local services and facilities, key public transport connections and employment/educational opportunities accessible via non vehicular methods of travel. The approach to Southbourne is discussed later at Section 4 and at Policy A13.

2.21 Accordingly, this strategic policy is positively prepared and justified, and is consistent with national policy promoting sustainable patterns of development.

### 3 Overall amount of Housing

#### Policy H1 Meeting Housing Needs Housing Need

3.1 Paragraphs 60 and 61 of the NPPF state that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.

3.2 Only in exceptional circumstances could an alternative approach be justified. But even then, that alternative approach will also need to reflect current and future demographic trends and market signals.

3.3 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan period, amounting to 575dpa.

3.4 This is lower than both a. the standard method figure of 638 dpa; and, b. the Preferred Approach figure in the previous consultation, of 650 dpa which included accommodating some unmet need arising from the South Downs National Park (SDNP) area. This shortfall will amount to over 1,100 dwellings across the plan period. Without any Statements of Common Ground being published by the Council or evidence of the shortfall being accommodated elsewhere, this remains unaddressed.

3.5 It is highly germane that the current Local Plan adopted a lower housing figure than the identified need of 505dpa, proposing instead to deliver 435dpa.

#### Affordability in Chichester

3.6 The affordability ratios have risen from 12.38 in 2015, when the current Local Plan was adopted, to 14.61 in 2021 for Chichester, which is significantly higher than the current 9.1 national average, increasing the need for affordable housing within Chichester.

3.7 Between the 2011 and 2021 census, the number of people ages 50 to 64 years rose by over 3,100 (an increase of 13.4%), while the number of residents between 35 and 49 years fell by approximately 1,900 (8.5% decrease).

3.8 Chichester’s worsening affordability ratios and aging population, which typically occurs in line with house price increases, demonstrate the clear need to increase the housing delivery to meet current and future needs (in line with the NPPF), and maximise the potential for housing in this District. The current strategy to suppress housing provision will only exacerbate these problems.

3.9 With the Submission Plan proposing to not meet the identified need, this once again will be an issue which moves onto the next Local Plan, failing to tackle key issues across the District such as affordability and lack of housing land supply. These issues cannot simply be moved onto the next Local Plan, they should be addressed now.

#### Constraints for development

3.10 The lower figure of 575dpa reflects both the infrastructure constraints along the A27 and at the

Waste Water Treatment Works, but also no longer accommodating unmet need from SDNP.

3.11 The Transport Study (January 2023) assesses the capacity levels, with particular focus on the A27. Although the Council state that 535dpa is the highest level of development per year achievable, the conclusions of this latest Study state, at paragraphs 5.6.5 and 11.2.3, that development of 700 dpa could be accommodated (in the southern plan area) through the mitigation proposed in the previous scenario of 535dpa with some additional mitigation at the Portfield and Oving roundabout.

3.12 This Transport Study (2023) was published following the preparation of the Sustainability Appraisal which refers to the 2018 study, therefore the latest evidence on highways matters has not been considered within the preparation of this Local Plan.

3.13 This is fundamental to the Plan’s approach – increasing the housing requirement could assist with funding those additional highway improvements, in line with the recommendations of the Transport Study at Section 9.3 to prioritise junctions to avoid delays to housing delivery. This should be further reviewed by the Council to ensure the District’s need is not being understated. It is recommended the housing need figure is reviewed in line with this evidence and the need to meet the minimum of the standard method figure of 638dpa, and aim to return to the 650dpa previously proposed.

#### Duty to Co-Operate

3.14 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

3.15 The East Hampshire Local Plan Review has identified 100dpa for the SDNP area of the District, below the identified need of 112dpa for the District’s area and the overall requirement of 447dpa for the SDNP (Housing and Economic Development Needs Assessment 2017). In effect, in

combination with Chichester, the National Park is needing to accommodate some 30 more dwellings per annum without any assessment as yet as to whether this can be achieved given the statutory protection that is afforded to it.

3.16 Whilst a Statement of Common Ground is referred to, it has not been published and therefore it is not possible to determine whether the decision not to make a provision for the National Park area is soundly based.

3.17 Previous evidence for the Preferred Approach demonstrated how the figure of 650dpa was achievable and necessary to help with the worsening affordability ratios across Chichester and the neighbouring authorities. Having removed provision for unmet need it is considered this plan has not been positively prepared.

#### Summary

3.18 Policy H1 clearly sets out how the majority of housing is to be delivered along the east-west corridor, with 535dpa in the southern plan area and 40dpa in the northern plan area. This is consistent with the Spatial Strategy and the Settlement Hierarchy, Policies S1 and S2, and the overarching objective of locating new housing at the most sustainable locations in the plan area.

3.19 By limiting the amount of housing there will be fewer schemes contributing to the required infrastructure improvements. Without developer contributions to fund wholesale upgrades to this infrastructure there is a risk of pushing the problem down the line for the next Local Plan to address, whilst problems with affordability and an aging population are further exacerbated.

3.20 All future schemes will be required to mitigate their impact on infrastructure including highways and utilities, and there is an opportunity for small to medium scale sites to be delivered in the short term whilst the larger allocations and/or the majority of the larger allocations await the upgrading of these works.

3.21 Currently, the proposal to reduce the overall housing supply for the new plan period is not supported, and the Council should review the Transport Study with the intention of meeting the assessed level of local housing need in full. Without the identified housing requirement being met in full the problem of the younger population being unable to afford to remain in Chichester will continue, further growing the gap in workforce and an increasingly aging population.

3.22 Therefore, this policy is not positively prepared, justified or consistent with the NPPF.

#### Policy H2 Strategic Locations/Allocations 2021-2039

3.23 The wording of 'at least' within Policy H1 provides flexibility on the ability to achieve the minimum amount of housing considered necessary by the Council, in line with Policy S2. Although this quantum is not agreed, the approach using 'at least' is considered a sensible approach to allow the achievement rather than under delivery of much needed open and market housing.

3.24 The strategic locations/allocations set out in Policy H2 do not reflect this flexible approach. Instead, the sites are fixed as exact number of dwellings for those locations.

3.25 Paragraph 119 of the NPPF requires planning policies to promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

3.26 Policy A13 is a BLD and is fixed at 1,050 dwellings within Policy H2, this does not allow for the masterplanning approach to further assess the actual capacity and the best use of this land.

3.27 As such flexibility should be embedded into the wording of Policy H2 to ensure that the intention of Policy S2 is achieved; the housing target of at least 10,350 dwellings across the plan period (Policy H1) is met; and the land identified for development is most effectively used.

3.28 Therefore, it is suggested that Policy H2 includes the wording "at least" before the quantum of development for any strategic location or allocation. For example, Policy A13 would instead state "at least".

#### Policy H8 Specialist accommodation for older people and those with specialised needs

3.29 National Planning Practice Guidance for Housing for Older and Disabled People states how plan-making authorities should set clear policies to address the housing needs for groups with particular needs such as older and disabled people.

3.30 The Housing and Economic Development Needs Assessment (HEDNA) (April 2022) assesses the period between 2021-2039 for older people and those with a disability.

3.31 This concludes that there will be a 42% increase in the population above 65 years old, amounting to 67% of the total population growth.

3.32 The HEDNA sets out how the East-West Corridor has a higher percentage of over 65 year olds (24.7%) compared to both Chichester City (24.2%) and the Plan Area North area (23.4%).

3.33 The needs arising from this, amounts to between 2,131 and 2,872 additional dwellings with support or care, and a need for 429-800 additional nursing and residential care bedspaces. This equates to approximately 17-24% of all homes needing to be some form of specialist accommodation for older people.

3.34 In this context, the HEDNA makes an important recommendation that the Council allocate specific sites for housing with care to ensure the identified needs are met. In contrast Policy H8 is a criteria based policy that seeks specialist accommodation for older people on housing sites over 200 units based on evidence of local need.

3.35 As written, there is no confirmation on the quantum of specialist accommodation that this policy or other site allocations will secure and how the specific need for each application is calculated. Policy H8 fails to address the identified overall need clearly, as required by National guidance. Therefore, it is recommended the Local Plan allocates sites to deliver this type of accommodation as intended by the HEDNA.

3.36 This approach risks the land on these sites being unable to deliver both the expected market/affordable housing and the specialist accommodation on site.

3.37 The land under Hallam's control would be a suitable site for this type of accommodation, which is situated along the east-west corridor in a sustainable location on the edge of Southbourne.

#### 4 Southbourne

4.1 Southbourne is a key area in the District, in terms of existing development, its status as a Settlement Hub and its potential to accommodate future development.

#### Role of Southbourne

4.2 Southbourne is identified as a Settlement Hub within Policy S2.

4.3 Southbourne is located within the east-west corridor with a range of existing facilities, good transport links, and employment opportunities both to the east and the west.

4.4 As set out in the Submission Plan, Southbourne has good access to educational facilities serving the residents, including primary schools, junior schools and secondary schools. There are a number of convenience stores and other community services and facilities such as a GP practice, pharmacy and places of worship.

4.5 The Bourne Community Leisure Centre provides local residents with access to community sports facilities. Access to public open space is also good through connections to Southbourne Recreation Ground. There is potential for more open space to be provided for local residents within the Local Plan Review and the strategic allocation proposed and this approach is embedded within our own Vision Document.

4.6 A key focus of the Sustainability Appraisal and the Submission Plan is for schemes to promote a modal shift in transportation. The strong public transport links within Southbourne to the wider surrounding area allows access to employment opportunities within the east-west corridor. Southbourne has strong public transport connections to the local and wider area, through bus and train services, to areas including: Chichester, Portsmouth, Havant, Littlehampton, Brighton, Southampton and London.

4.7 For these reasons, Southbourne is rightly designated as a Settlement Hub and is eminently suitable to serve as a BLD.

4.8 The Southbourne Level Crossing Report May 2021 analyses the options for delivering the railway crossing at Southbourne. It concludes that circa 750 dwellings can be delivered north of the railway line before triggering the requirement for a new crossing. The report highlights how sites south of the rail line are not likely to impact on the level crossing and can therefore be delivered earlier than await the railway line improvements.

4.9 Therefore, in this context it would be appropriate to allocate small and medium scale sites to the south of the railway, which is less constrained by the capacity restriction on the railway crossing.

4.10 The land under Hallam's control is to the south of the railway line, would help facilitate a future new railway crossing to the north of the site, and would be of a medium scale to deliver housing early in the period plan.

Strategic Allocation A13

4.11 The Key Diagram appears to suggest that new development is to be located to the west and east of Southbourne, remedying the previously unsuccessful approach of focusing development only to the east. Similarly, the Key Diagram acknowledges the need for development to the south of the railway line, facilitating development north of the railway line. It is recommended the wording of the policy should be updated to reflect this diagram, as suggested below:

Provision will be made for a mixed use development within the broad location for development to the west and east of Southbourne, as shown on the Key Diagram.

4.12 Previously, the Preferred Approach consultation document set out at Policy AL13 a minimum of 1,250 dwellings at Southbourne and to be identified in the revised Southbourne Neighbourhood Plan. (emphasis added)

4.13 The Submission Plan now allocates Policy A13 for 1,050 dwellings and will be established through the making of allocation(s) in the future Site Allocation DPD or the revised Southbourne NP. This strategic allocation is to act as a mixed use extension to the existing settlement.

4.14 It is acknowledged that the land north of Cooks Lane (Application number: 22/00157/REM) received Reserved Matters approval in August 2022 for 199 dwellings, with the reduction in quantum of development for the BLD reflecting this committed development. A practical effect of this is that this consent will not contribute to the wider infrastructure requirements associated with a larger scale of development.

4.15 It is disappointing to see the phrase "a minimum of" has been removed. This conflicts with the flexibility set out earlier in the consultation document, and also reduces the potential of making effective use of the land for housing that will assist in meeting the overall need of the District.

4.16 Policy A13 prescribes a number of requirements that must be met (criterion 1 – 16). These are considerations that reflect principles of place making and sustainable development and provide a sound framework for the preparation of the allocation through either mechanism.

4.17 One of these requirements states that future development "Provide[s] any required mitigation to ensure there is no adverse impact on the safety of existing or planned railway crossings." The existing Southbourne Neighbourhood Plan, at Objective 9, outlines the issues relating to the railway crossing and the plans for addressing this challenge in the future.

4.18 Related to this is the need for the provision of "suitable means of access to the site(s), securing necessary off-site improvements (including highways) ... to promote sustainable transport options."

4.19 The combination of the requirements relating to the railway crossing and the provision of a suitable means of access show the importance of accessibility to the A27, A259 and the east-west railway line, which are the principal public transport corridors for Southbourne.

4.20 Development will be well connected to Southbourne via footway and cycle connections to the east and offers the opportunity to help realise the construction of a new strategic road and bridge link over the West Coastway Rail Line through provision of land and proportionate contributions to this scheme.

4.21 Criteria 13 ensures there will be sufficient capacity within the relevant wastewater infrastructure before the delivery of development, which addresses (for Southbourne) the identified constraints for the District in relation to housing delivery.

4.22 The remaining requirements of Policy A13 cover the quality and range of development, the provision of education, community and transport facilities, provision of public open space and green infrastructure, and the impact of development on the landscape. These are each appropriate considerations for the Site Allocations DPD.

4.23 Having regard to the above, the allocation of 1,050 dwellings for Southbourne is, in part, appropriate.

4.24 However, this policy should allow for the delivery of small or medium scale parcels of land, in accordance with the NPPF at an early stage of delivery of the wider allocation to enable prompt and timely housing at Southbourne whilst infrastructure upgrades are commenced. The Local Plan should identify and allocate these smaller scale sites to ensure these can come forward early in the plan period.

4.25 A new criteria is proposed to be included in the wording of Policy A13, stating:

(17) To identify land for early delivery on small to medium scale sites which are not constrained by the need for a new railway crossing.

4.26 Therefore, the principle of a strategic allocation for mixed use housing is considered appropriate but amendments should be made to the wording of the policy to reflect the approach to flexibility, the inclusion of small and medium scale sites, and the dispersion of development to both the west and



east of Southbourne.

Southbourne Neighbourhood Plan

4.27 As set out in the paragraph 10.56 of the Submission Plan, development phasing is a key issue to address through the allocation of development sites for this BLD.

4.28 Paragraph 70 of the NPPF states that “Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites suitable for housing in their area.” Southbourne Parish Council should be aware of this when allocating the strategic sites, to ensure that there are a mix of housing sites, that could come forward sooner than the principal element of the larger strategic site.

4.29 Through the preparation of the Neighbourhood Plan, the Parish Council should take into account the allocation of smaller sites, which could come forward as part of and alongside the larger strategic site. This will ensure that there is not a delay in the provision of housing within Southbourne and the plan area.

4.30 As set out previously, the most suitable mechanism for progressing the Southbourne BLD would be the Site Allocation DPD. Whether the sites are allocated through the Site Allocations DPD or the NP, there is a requirement to identify small and medium scale site.

Land to the north of Gosden Green

4.31 The land under Hallam’s control to the north of Gosden Green, should either be allocated in the Local Plan as a medium scale site or should be a key component of the BLD. The site can deliver both market/affordable residential units and specialist elderly accommodation. The site will create flexibility in achieving the housing requirement of the plan area early on in the plan period.

4.32 The accompanying Vision Document demonstrates how as an early development parcel for the wider BLD, a series of key benefits in accordance with the 13 criteria of Policy A13 will be achieved.

4.33 The Proposed Submission Plan at Policy H8 identifies the need for specialist accommodation for older people and those with specialist needs. Although not set out in the Vision Document, this site can deliver, early in the plan period, much needed specialist elderly accommodation.

4.34 Figure 3 of the Vision Document presents the scheme’s ability to connect into a wider masterplan for the strategic development, as it comes forward in the future. However, at the same time has the ability to come forward at an earlier rate being physically unconstrained and a well contained parcel of land.

4.35 Figure 9 provides context on connectivity, and the modal shift this scheme aims to achieve. The ability to walk to a range of services and facilities, including the train station further demonstrates the ability for the early delivery of this parcel of the BLD.

4.36 The impact of the highways network has been assessed for both a full residential scheme and specialist elderly housing, highlighting how the residential scheme will introduce approximately 55 new vehicles to the network at peak times, resulting in less than 1 car per minute in the peak hour. Either scheme will have a negligible impact on the highway network and would have a negligible impact on A27.

4.37 The site is to the south of the railway line, as previously mentioned, and would be unconstrained by the capacity constraint of the existing railway crossing.

4.38 For these reasons, the land under Hallam’s control should be allocated within the Local Plan.

## 5 Conclusion

5.1 These representations are submitted on behalf of Hallam Land Management Limited.

5.2 In the context of national, local and neighbourhood planning policies, the Local Plan has an important role in providing policies and proposals for residential development to meet future needs.

5.3 The proposed objectively assessed need for housing across the plan area is not agreed, and the Council should review the latest transport evidence which currently do not demonstrate how there are exception circumstances, in accordance with paragraph 62 of the NPPF. The Council should also extend the plan period to ensure it meets the requirements of a minimum of 15 years in the NPPF.

5.4 Consistent with the established strategy to focus development in the District’s east-west corridor, the Broad Location for Development to Southbourne as a Settlement Hub is, as a matter of principle, a sound proposition. Importantly the Key Diagram identifies the broad location for this development to the west and east of the settlement.

5.5 As discussed, there should be flexibility embedded into all strategic allocations, in particular those which are Broad Locations for Development through the use of the wording “at least”. This will ensure that the “at least” quantum of housing delivery is met and affords flexibility to all housing sites coming forward.

5.6 The responsibility for allocating additional development land to meet this requirement has been given to either the Parish Council through the preparation of a new Neighbourhood Plan or through the Council reviewing the Site Allocations DPD. It is recommended that for the larger strategic allocations and locations the Site Allocations DPD is the more suitable mechanism for identifying land given the need to ensure that proposals are sound.

5.7 Whilst the scale of development proposed is strategic in nature, it is entirely appropriate to consider how different development parcels might contribute towards that and in particular early opportunities that facilitate larger scale development later in the plan period.

5.8 To this end, land to the west of Southbourne and south of the railway line could be allocated as the first phase of the strategic site allocation, as a medium size site, so that this southern section of the new link road is built to enable access to land to the north. This will reduce the pressure placed on the centre of Southbourne, the highway capacity on the A27, and the existing railway crossing.

5.9 By allocating small to medium scale sites in the Local Plan, this will bring forward development at a quicker pace and ensure that the objectively assessed needs for housing across the plan area are met each year. These can be delivered without prejudice to the larger strategic allocations and locations.

5.10 Currently, the Submission Plan fails to address the increasing need for specialist accommodation, with Policy H8 failing to secure specific delivery of such housing, instead moving this matter into major development schemes with no mechanism for assessing need at that stage. It is recommended that the Local Plan allocates sites for specialist accommodation.

5.11 Hallam control land to the west of Southbourne, which adjoins the land at Gosden Green which has already been built. The land controlled by Hallam could be: allocated as a medium scale site within the Local Plan; included as part of the western strategic allocation of Broad Location for Development at Southbourne; or could be allocated for specialist elderly accommodation, ensuring land is readily available for development early in the plan period to address identified needs.

5.12 This would be consistent with the development strategy for the Plan and positively contribute towards meeting future development needs of the plan area.

5.13 These representations have demonstrated that in part the Submission Plan has been positively prepared and justified, however the key recommendations in these Representations should be followed to ensure the plan preparation accords with Paragraph 35 of the NPPF.

#### Change suggested by respondent:

Policy S1 should be amended to include and allocate small and medium scale sites and to require flexibility to the housing target.

The final paragraph of Policy S1 states that to ensure that the Plan's housing requirement is delivered, "the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in accordance with this Strategy". The wording of this should be amended to state flexibility will be needed rather than may be needed, to ensure there is the ability to mitigate delays on allocations being brought forward by alternative proposals in order to meet the housing requirement over the plan period.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sgn>  
Vision Document - <https://chichester.oc2.uk/a/sgy>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Chichester Grain Ltd [7394]

**Agent:** Henry Adams Planning Ltd (Ms Ellie White) [7536]

#### Summary:

Conclusion in paragraphs 5.6.5 and 11.2.3 of Transport Study appears to be that 700 dpa could be accommodated (in southern plan area) by mitigation proposed for 535 dpa scenario plus some additional mitigation at Portfield roundabout. Council do not appear to have considered that increased housing requirement could assist with funding necessary highway improvements, this should be further reviewed in order to aim to meet minimum of 638 dpa. Council have failed to provide sufficient justification for not meeting housing need in full and have not suitably considered unmet need from adjoining authorities. Site proposed.

#### Full text:

##### 1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Chichester Grain. The submission covers the general principles of the Local Plan but has a focus on Land at Chichester Grain Stores, Hambrook, Southbourne. The land is shown on the attached plan HA Appendix 1: Site Location Plan, and hereafter referred to as 'the site'.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

##### 2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions and is the final consultation phase before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Local Plan or at least through the allocation of numbers to the Parish, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1: Spatial Strategy, sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1: Meeting Housing Needs sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

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2.5 The SA discusses the potential growth scenarios and confirms two points:

(i) Standard method housing figure for Chichester (excluding South Downs National Park) is 638 dwellings per annum, or 11,484 in total over the Plan period; and

(ii) The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa).

2.6 Of particular note is that point ii. seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. It should be noted here that the 435 dpa figure within the 2015 Local Plan was below the identified need of 505 dpa. This reduced housing figure was accepted on the basis of an early review, but this early review did not take place.

2.7 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan figure, amounting to 575 dpa. This is lower than both the standard method figure of 638 dpa and the previously consulted Preferred Approach figure of 650 dpa which accommodated some unmet need from the South Downs National Park Authority.

2.8 This draft Local Plan seeks to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network and constraints on Waste Water Treatment Works. The Council therefore arrive at a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

2.9 The Transport Study (January 2023) is the key document on which the Council rely to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study notes that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works.

2.10 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure in the Transport Study, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF, do not appear to exist and the Plan could be considered unsound on this point alone.

2.11 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need. This is

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of relevance given that the previous Local Plan underprovided against the OAN, and when considering the scale of development expected for adjoining authorities, including the highly constrained SDNP. 2.12 Given that it is not accepted that the A27 capacity matters present a ceiling in terms of housing delivery, it is not accepted that the Plan and associated SA demonstrate that reasonable alternatives have been considered. The plan is not therefore

positively prepared, nor is the approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 One further concern is that the Plan relies on the delivery of Neighbourhood Plan and/or Small Site Allocations DPD. In terms of delivery, Policy H3: Non-Strategic Housing Policy Requirements 2021-2039, states the following:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above does not provide any clear timetable for commencement of a DPD and thus is not considered to be an effective approach to housing delivery.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify the alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

3 Duty to Cooperate

3.1 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

3.2 The draft Plan does not address any need requirements in relation to unmet housing need of neighbouring authorities. Nor does it contain evidence to suggest that these matters have been discussed with the adjoining Authorities.

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3.3 The housing figures presented do not account for unmet need from the South Downs National Park Authority. Whilst a Statement of Common Ground has been referred to, it has not been published and therefore it is not possible to determine whether the decision not to make any provision for the National Park is sound.

3.4 Further, Arun District Council has confirmed that it will be objecting to the Plan as currently proposed on the basis that it has a significant housing need. This is likely to be further influenced by Chichester not meeting its own needs, a repeat of the 2015 situation which resulted in Arun having to address some of this within its 2018 Local Plan.

3.5 If the Plan is to proceed on the basis of providing 575dpa as per Policy H1, this will amount to a shortfall of 1,100 dwellings over the plan period. Without any Statements of Common Ground, it is unclear as to how this shortfall will be addressed.

4 The Site and its suitability

4.1 Our client's site is well placed to accommodate any additional numbers required and offers a distinctively different scale of development to that proposed in the single large site allocation. It can also be delivered, whilst protecting this part of Southbourne, but also Hambrook to which is more readily relates.

4.2 The development of this land would provide a number of benefits;

☒ The development would include a mix of high-quality homes, including affordable to meet the varying needs of the community;

☒ The site is well-connected to local services and facilities, within walking distance of the post office, train station and employment;

☒ It would support the viability of local services and facilities;

☒ The site is not subject to any environmental designations or constraints and its development would not impact the South Downs National Park or Chichester Harbour AONB;

☒ Retention of existing boundary treatments alongside the provision of additional landscape features and open space will ensure net biodiversity gain and greater access to public open space;

☒ Retention of the trees and mature boundary hedgerows, particularly on the frontage to Priors Leaze Lane will retain the rural setting;

☒ The site is not constrained and does not rely upon significant infrastructure improvements in respect of delivery. It will ensure that where required, contributions will be made to ensure sufficient capacity is maintained for local facilities.

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5 Other Policy Considerations

5.1 Policy NE4 Strategic Wildlife Corridor – object Policy NE4 states that 'Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

1. There are no sequentially preferable sites available outside the wildlife corridor; and

2. The development will not have an adverse impact on the integrity and function of the wildlife corridor and protects and enhances its features and habitats.'

5.2 We are of the view that our clients land has development potential and could be well placed to assist in the delivery of additional housing number required within the draft Local Plan and are of the view that the blanket wildlife corridor is quite extensive and should be reduced in size.

Representations were also submitted to this effect to the Southbourne Neighbourhood Plan Regulation 16 Consultation.

5.3 We acknowledge the importance of the protection of wildlife generally, and the local eco-systems, however, this submission is supported by an Ecological survey which confirms that our site should not be covered by a Wildlife Corridor to the extent currently proposed. The Wildlife Corridor should be reduced to the immediate site and not as currently proposed under Policy NE4.

5.4 The land at Chichester Grain lies adjacent to the Ham Brook Chalk Stream. The draft Local Plan introduces a Wildlife Corridor along this section of stream. It is our view that the proposed extent of the wildlife corridor is excessive and should be reduced. It is also our view that the wildlife corridor could accommodate a break to provide a means of access to our client's site, without harming the purposes of the corridor.

5.5 The recommendations of the report are to reduce the scale of the wildlife corridor and also ensure policy flexibility to allow access through these areas and appropriate requirements to enhance and mitigate against any proposed development.

5.6 In terms of the details of the site, habitats present within the site area are of low ecological value. It is noted that there are sites with intrinsic nature conservation value within the area, however, there are suitable mitigation and compensation methods which could protect these habitats.

5.7 The mitigation methods that could be proposed to remove any significant harm to ecological value of the land (which is low as existing), comprise:

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☒ Provision for CEMP for any proposed development;

☒ Retained habitats on site borders should be enhanced;

☒ Provision for an ecologically sensitive lighting scheme;

☒ Use of bird boxes within any proposed development; and

☒ Inclusion of Hedgehog Highways.

5.8 As shown, the land at Chichester Grain is of low ecological value, and should not be included, to the extent currently proposed, as a wildlife corridor within Policy NE4. The Council is further applying yet another restrictive 'additional layer of planning restraint' in a District which is already highly constrained by for example, AONB, National Park, numerous ecological designations, Local Nature Reserves/National Nature Reserves, Water Neutrality and Nutrient Neutrality.

5.9 Furthermore, we have set out mitigation methods which could be applied to any forthcoming application or allocation of the land, which would enhance the ecological value of the site, and protect the intrinsic value of the sites within the locality.

6 Conclusion

6.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, this is significantly lower than the standard method figure of 638 and previously consulted figure of 650 dpa. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa scenario plus some additional mitigation at the Portfield roundabout.

6.2 The Council do not appear to have considered that the increased housing requirement could assist with funding the necessary highway improvements and thus this should be further reviewed by the Council in order to aim to meet the minimum of 638 dpa.

6.3 The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from

adjoining authorities. The latter is particularly relevant given constraints of the National Park.

6.4 Policy NE4 introduces wildlife corridors, which could be accepted however, the supporting policy maps should be amended and the wording of the policy updated to reflect flexibility to allow appropriate breaks in the corridor for those areas that are of low ecological value, such as our Client's land.

**Change suggested by respondent:**

Reconsider housing figures and consider proposed site to accommodate additional housing number.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sh7>

Preliminary Ecological Appraisal - <https://chichester.oc2.uk/a/sh8>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

The drafting does not match the landscape character evidence in relation to settlement character. The ambition to support landscape quality in the North of the Plan Area is undermined by identifying all the settlements as 'Service Villages'. By labelling them all as 'Service Villages' will risk the smaller villages becoming treated as larger 'Service Villages' in time, which will risk them losing their character and settlement hierarchy within this area. Compared to Fishbourne, Boxgrove, and Westhampnett, Wisborough Green is an isolated exceptionally rural village; however, compared to Ifold, Wisborough Green is akin to a 'Service Village'.

**Full text:**

The drafting of this section of the Plan does not match the landscape character evidence in relation to settlement character. The ambition to support landscape quality in the North of the Plan Area is supported by the Council, but it is undermined by identifying all the settlements as 'Service Villages'. Plaistow, Ifold and Kirdford in particular are all small villages in comparison with Loxwood and Wisborough Green, which are larger scale settlements and different in character terms. By labelling them all as 'Service Villages' will risk these smaller villages becoming treated as larger 'Service Villages' in time, which will risk them losing their character and settlement hierarchy within this area. These smaller villages should be reclassified as "Rest of Plan Area: Includes the countryside and other small villages and hamlets which have poor access to facilities."

The Plan identifies that there are few large settlements North of the Plan Area. To ensure this distinctive area of the District is correctly conserved and, where appropriate, enhanced in keeping with the aspirations set out in Chapter 2: Vision and Strategic Objectives, North of the Plan Area, paragraphs 2.49 – 2.51 it is important that the various settlements within the area are correctly identified. Compared to Fishbourne, Boxgrove, and Westhampnett\* Wisborough Green is an isolated exceptionally rural village; however, when you compare Wisborough Green to Plaistow, Ifold or Kirdford, Wisborough Green appears more akin to a true 'Service Village'.

\*proximity to A27, public transport, Chichester city and other higher order settlement hubs, services and facilities

Therefore, it is incorrect to list Plaistow, Ifold, Kirdford, Wisborough Green and Loxwood in the same 'Service Village' category as Fishbourne, Boxgrove, and Westhampnett etc as this does not correctly recognise the true scale of the settlements in the North of the Plan Area, which are materially different from the rest of the District.

Settlements are 'small and dispersed' with poor connectivity either to each other or to other settlement hubs. To do so, is contrary to the Plan's aspiration to maintain landscape quality. The Plan's policies need to correctly reflect the characteristics of each landscape. If settlements are incorrectly identified any growth will be unsustainable and will change the character of the whole landscape. The ambitions should be constrained by an area's landscape capacity.

Chichester's landscape evidence remains the Capacity Study 2019. The results of this study should be correctly reflected within Plan policies.

Whilst the Council understands that some small-scale development is required within the North of the Plan area and supports this, it wishes to act as a critical friend to ensure that the nuances of the proposed small scale development is fully appreciated.

All housing numbers advocated for the North of the Plan Area are large-scale for the current size of the settlements in this area and will increase their population sizes, without providing any services / facilities to manage this increase. In truth, the Plan cannot / does not deliver the required services / facilities the current settlements need, irrespective of any additional growth. The Plan cannot alter the proximity of the SDNP; the areas dark skies; its rare ecology; the poor rural road networks; the proximity of key services to these northern settlements e.g., secondary schools / higher education / transport links - many of which are situated outside of the District itself; the lack of supermarkets; the lack of other services which are necessary to support a diverse population i.e., libraries, children's centres, job centres etc and the dependence on private vehicles.

The various services / facilities required to support bigger population sizes are outside of the control of CDC and the Local Plan – medical services / school placements (primary, secondary, and higher education) / public transport services / leisure / retail. Therefore, whilst 25, 50, 75, 220 are very small housing numbers when compared to the rest of the District, if the local services upon which these additional residents will rely upon are already oversubscribed – which they are - and there is no prospect of delivering the requires support services in the area – which there is not - then any housing number above that which the current local area can reasonably accommodate is unsustainable development.

**Change suggested by respondent:**

These smaller villages [specifically Plaistow Ifold and Kirdford] should be reclassified as "Rest of Plan Area: Includes the countryside and other small villages and hamlets which have poor access to facilities."

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Mr Phillip Luff [8017]

**Summary:**

Support Loxwood as a service centre.

**Full text:**

As a resident of Plaistow, I use the medical centre at Loxwood. I would like to see more supporting facilities and infrastructure such as supermarkets, butcher, greengrocer etc. Our local store in Plaistow is great for everyday items like milk and bread but at the moment we are driving to Billingshurst for our food and grocery shopping so it would be great if Loxwood could become our main service centre.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Merrow Wood [8213]

**Agent:** Intelligent Land (Mr Simon Trueick) [8009]

**Summary:**

This is supported. It is inevitable that the East/West Corridor will remain the most appropriate and sustainable location for new development in the District. Congestion on the A27 corridor is however a very serious issue and creates significant impacts in social, environmental and economic terms for the area and sub-region. Location of new development at locations which benefit from existing facilities, and can utilise rail and bus services will be essential if congestion on the A27 is not to be made worse.

**Full text:**

Intelligent Land is instructed by Merrow Wood, who have been selected by the landowner to help promote the site for development, to submit representations on the Chichester Local Plan Review, Submission consultation, relating to land at Prospect Farm, Cutmill View near Bosham. This is supported. It is inevitable that the East/West Corridor will remain the most appropriate and sustainable location for new development in the District. Congestion on the A27 corridor is however a very serious issue and creates significant impacts in social, environmental and economic terms for the area and sub-region. Location of new development at locations which benefit from existing facilities, and can utilise rail and bus services will be essential if congestion on the A27 is not to be made worse.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Manhope (Mr Carey Mackinnon) [8125]

**Summary:**

Additional policy required to support discretion in planning decisions when consultees provide advice contrary to public and parish experience.

**Full text:**

Manhope is a local interest group and represents more than 500 residents and users of the Western part of the Manhood Peninsula (WMP); the part of the district at greatest risk from climate, travel and infrastructure challenges.

Our sole purpose is to protect the unique character of the Western Manhood Peninsula by opposing inappropriate and unsustainable large building developments before the necessary infrastructure is actually in place.

We are not sufficiently aux fait with the policies to be able to use the clause by clause "speech bubble" approach to comment. Therefore, our response is by way of email as suggested by our MP, Gillian Keegan in her letter to residents in February this year.

We understand that only three topics are open for comment in respect of the proposed Local Plan submission.

1. Is the submission legally compliant?
2. Is the submission 'sound'?
3. Does the submission comply with the Duty to Cooperate?

We are not qualified to comment on either 1. or 2. so these comments will address the question of whether the proposed submission is sound.

Chichester District Council has, quite rightly in our opinion, placed no demands for further large developments in the WMP apart from windfall sites. In our opinion even these should NOT be approved until the caveats shown in our Conclusion are implemented. The following subjects have been well aired so we will not dwell on them in great detail but will summarise them as follows.

Transport.

The transport network serving the CDC area is already unable to cope at peak times and groaning at most other times. The A27 frequently gets headline recognition and from a strategic national point of view rightly so. The various arguments are again well rehearsed elsewhere especially from other local interest groups such as MPAG, SOSCA and the Harbour Trust and we support their submissions in this respect.

It is sufficient for us to say that if it was recognised that mitigating measures were required to cater for the huge increase in developments then it

follows that the absence of such mitigation should halt completely such development. That is just pure logic.

Everyone who lives, works, uses or visits the WMP knows that having left behind the A27 they have not left behind the traffic problems. The obverse has become the "new norm" with the most minor hold up, such as refuse lorry, slow moving device or minor road works causing substantial delays and queues sometimes up to eighty vehicles long

The system whereby WSCC highways review the impact of planning applications is dysfunctional.

This is evidenced by WSCC highways department being unable to provide accurate feedback to the LPA as to the ACCUMULATIVE impact of very large developments.

The modelling simply does not allow it and there is no scope for actual local experience or common sense. In not one case of over twenty applications for ten or more houses have they even flagged a cautionary note about this accumulative impact.

For example many - actually most - accidents are not reported so the West Sussex Accident Location Map so this source often used by planners and developers to demonstrate how safe our local roads are, is dangerously misleading. Many life changing injuries have been sustained and known about by local people in the WMP but virtually none of these appear in "formal records"

Flooding.

Because of the low lying and vulnerable southern part of the district the findings and implications of the CDC Level 1 Interim Strategic Flood Risk Assessment (December 2022) need to be fully understood by parishes, councillors and local residents before comments of any real value can be made. We asked five elected or formally appointed local representatives and not one felt they had a full grasp of the SFRA's implications and only one had a fair understanding.

We do know that the risk of significant flooding has increased. We also know that even before the SFRA was published the West Sussex County Council Lead Local Flood Authority gave a thumbs down to two of the large applications B 21/01830/OUT in Birdham and EWB22/02214/FULEIA.

CDC have recognised that the Manhood Peninsula has specific challenges including flood risk hence the zero requirement for housing in the WMP. In this respect we think the submission is probably just sound enough and hope that this approach filters through to decisions for applications yet to be determined.

However, to be certain of real soundness the work needs to be completed BEFORE implementation. Please see our notes under "Conclusion" Sewage.

There can be no doubt that this subject must impact whether the submission is sound or not. The arguments are complex and lengthy but two basic simple facts remain.

1. The main sewage plant for the Manhood Peninsula is Southern Waters Siddlesham WWTW. This plant is a couple of metres AOD and yet planners, the EA and developers argue as to whether four or five meters is an appropriate floor level on new developments. Hardly a sound approach when the treatment works will have been inundated well before even a three metre threshold will have been reached. One example of these discussions can be seen at E 22/03125/OUT for 100 houses

2. Southern Water have a policy of deploying large road tankers when heavy rain is forecast to standby local sewage points as there is a high risk of the system being overwhelmed. Frequently the drivers have to stay in their cabs all night.

Yet Southern Water are obliged to advise the LPA that they can deal with the additional load from huge new developments. Neither CDC nor the Inspector can solve the sewerage infrastructure issues but the above facts raise serious doubt as to the soundness of the submission. Please see our further notes under "Conclusion"

Conclusion.

Manhope recognise the real imperative of having a local plan in place and is appalled that the system has resulted in a colossal amount of work for the LPA and yet still a disastrous delay in getting this in place let alone full and proper consultation with parishes and local people. Further delay in the submission of the local plan is therefore wholly unacceptable so our uncomfortable is that the submission, whilst barely sound, is as sound as it can be and should go forward BUT with some very clear caveats. Our suggestion for these are shown below.

A. No new developments of ten or more dwellings shall be commenced until suitable mitigating road improvements to the A27 are in place.

B. No new developments of five or more dwellings shall be approved by the LPA until the following reports, work and maps have been completed and due consultation has taken place with residents & parishes, (in line with the latest government approach to restoring local democracy).

a. Environment Agency flood maps based on the Interim SFRA (December 2022) have been completed.

b. Sewage infrastructure work as yet unknown in Southern Waters upcoming Asset Management Period to be in place before any development of 5 or more dwellings are approved.

c. Full and proper engagement with NHS as to practical limits on health demands as a result of new housing developments especially on the Manhood Peninsula. NHS's advice was ignored by CDC and a planning inspector for a 70 house development (WW/20/02491/OUT) so they have not responded to further consultation requests. Vis EWB 22/02235/OUT and EWB 22/02214. This cannot be allowed to happen again.

C. Insert a policy in the submission that CDC planning reserve the right to apply their discretion in planning decisions when consultees provide advice that is contrary to public and parish experience. Ie Where formally submitted local and Parish advise given in their written response to planning applications is not aligned to other consultees then take the Parishes advice. To avoid using this discretion is not consistent with exercising a duty of care.

D. A policy written in the final submission to assemble a consortium of stakeholders to conduct a full survey as to the condition of Pagham Harbour. The scope would cover impacts on marine and land-based environments from chemical, micro plastic and sewage contamination of the harbour and it's immediate coastline. Stakeholders would include Natural England, Environment Agency, CDC, Southern Water and the R.S.P.B. It is highly likely that Pagham Harbour is traveling a parallel downward path as Chichester Harbour in terms of condition but no stakeholders are paying this anything like the attention it deserves.

#### Change suggested by respondent:

Insert a policy in the submission that CDC planning reserve the right to apply their discretion in planning decisions when consultees provide advice that is contrary to public and parish experience. Ie Where formally submitted local and Parish advise given in their written response to planning applications is not aligned to other consultees then take the Parishes advice. To avoid using this discretion is not consistent with exercising a duty of care.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Horsham District Council (Norman Kwan, Senior Neighbourhood Planning Officer) [8126]

**Summary:**

Support policy in principle, but consider it is not justified as stands. Acknowledge CDC's position that it is not able to meet its entire identified local housing need of 638 dwellings per annum; welcomes that significant effort has been put into identifying development capacity in a way that reflects the principle of positive planning; support that planned growth is directed to sustainable locations where access to local services and access to transport links are easier to access than remote rural areas; acknowledge Chichester City is the most populous settlement in district as well as being most sustainable; support that growth and future development should be focussed in East-West Corridor, and in particular in or close to City; also acknowledge wider infrastructure deficiencies will need to be addressed in strategic locations before they can accommodate more growth; support continued dialogue with National Highways to support improvements to the strategic road network and note Statement of Common Ground (SoCG) will be published and updated as part of a continuous dialogue with National Highways; SoCG should transparently demonstrate why the constraints on the A27 will not allow higher growth in the East West corridor.

**Full text:**

Thank you for consulting Horsham District Council on the Chichester Proposed Submission Local Plan 2021-2039. We are grateful for the opportunity to be able to comment on your emerging plan. Overall, we consider that the plan has positively sought to balance the provision of future needs with other wider objectives in a manner that contributes to achieving sustainable development. I would also take the opportunity to reaffirm Horsham District Council's (HDC's) commitment to continued dialogue under the Duty to Cooperate and joint working between our two councils. We have a number of comments on the Proposed Submission Chichester Local Plan 2021 to 2039 to make on individual policies which we have set out below:

**Policy S1 Spatial Development Strategy**

We support this policy in principle, but consider it is not justified as stands. We note the spatial distribution in the plan period is split into three areas: East – West Corridor, the Manhood Peninsula, and North Plan area (which is the only part of Chichester district which directly adjoins Horsham district). HDC acknowledges Chichester District Council's position that it is not able to meet its entire identified local housing need of 638 dwellings per annum, given the constraints associated with the required upgrades to the strategic road network in order to facilitate growth, potential environmental constraints and wider infrastructure restrictions. It is understood that National Highways requires a cap on growth due to the limited capacity of the A27. The proposed housing supply target is therefore 575 dwellings per annum.

HDC acknowledges and welcomes that significant effort has been put into identifying development capacity in a way that reflects the principle of positive planning. Nevertheless, the NPPF and PPG set a high bar for 'leaving no stone unturned' in respect of meeting development needs. We support that planned growth is directed to sustainable locations where access to local services and access to transport links are easier to access than remote rural areas. It is acknowledged Chichester City is the most populous settlement in the district as well as being most sustainable. We support that growth and future development should be focussed in the East-West Corridor, and in particular in or close to the City, first and foremost. We also acknowledge wider infrastructure deficiencies will need to be addressed in strategic locations before they can accommodate more growth.

We support your continued dialogue with National Highways to support improvements to the strategic road network and note a Statement of Common Ground (SoCG) will be published and updated as part of a continuous dialogue with National Highways. The SoCG is important as part of the justification for a lower housing supply figure and should transparently demonstrate why the constraints on the A27 will not allow higher growth in the East West corridor, in order to evidence that maximum housing needs have been achieved in the City and East West Corridor. This evidence is needed for HDC to inform its own DtC position with Chichester District Council (CDC).

Chichester District is planning below the standard methodology housing target and has therefore asked HDC if it can accommodate some of Chichester's unmet housing need. HDC has confirmed that we are not in a position to accommodate Chichester's unmet development needs because of our own water neutrality constraint. Furthermore, the primary housing market for Horsham District is the Northern West Sussex HMA, whose development needs are substantially driven by the Gatwick sub-region, and it is this HMA that would be prioritised with respect to meeting unmet development needs.

As a partner in the Sussex North Water Neutrality grouping also impacted by this constraint, CDC jointly owns the relevant evidence, and our two authorities share an ongoing commitment to work on this as our Duty to Cooperate dialogue continues. As ever, the latest position with regards to Water Neutrality and the impact on the delivery of housing and other development needs can be set out in a Statement of Common Ground (SoCG) between our two Councils.

**Policy NE16 Water Management and Water Quality**

We support this policy which is clear in its encouragement of efficient use of water as part of good management framework.

**Policy NE17 Water Neutrality**

Water neutrality is a significant issue affecting both our districts. Horsham District Council supports this policy which is derived from the joint work undertaken by Chichester District Council, Horsham District Council and Crawley Borough Council. We look forward to continued working with CDC on the development of the implementation scheme, in order to deliver the JBA Water Neutrality Assessment study. This will ensure all new development is in conformity with the Habitat Regulations and can demonstrate water neutrality.

**Policy H1 Meeting Housing Needs**

As outlined earlier in this response, we acknowledge that land supply in Chichester is constrained, and that CDC meeting the full housing requirement within its administrative boundary during the plan period up to 2039 would be challenging. Horsham District is not however in a position to accommodate any of Chichester District's unmet housing need because of water neutrality and, looking forward, the need to prioritise meeting unmet needs within our primary housing market: the Northern West Sussex HMA.

**Policy H2 Strategic Locations/Allocations 2021 -2039**

A significant proportion of CDC's housing supply will be delivered through strategic allocations. Loxwood (220 dwellings) is identified as a strategic allocation and will come forward through the local plan process, with some allocations anticipated to be delivered through local neighbourhood plans. Given the challenges that face Neighbourhood Planning groups in the preparation and delivery of Neighbourhood Plans, (which can potentially delay the delivery of these allocations), we support the identification of strategic sites in the Local Plan, programmed for delivery earlier in the plan period.

As the delivery of strategic allocations requires significant infrastructure planning, including cross-boundary issues relating to the road network, education, healthcare and community facilities, Horsham District Council welcomes continued dialogue with the relevant stakeholders, to ensure development at strategic locations such as Loxwood are delivered in a timely manner and adhere to sustainable development principles. We have some specific concerns relating to strategic allocation policy A15: Loxwood which we have set out under that policy.

Policy H11 Meeting Gypsies, Travellers and Travelling Showpeople's Need.

We note your position and your requirement to provide a number of pitches and plots for the travelling community during plan period. We support your policy position for intensification of existing pitches. Horsham District can't at this point in time accommodate any of CDC's unmet Gypsy, Traveller and Travelling Show people requirement as we are required to first address our own shortfall, and our evidence demonstrates that this alone will be challenging.

We have a body of evidence to support our position and we will continue to share our evidence with you as our Duty to Cooperate dialogue continues over the coming months. As ever, the latest position regarding Gypsy, Traveller and Travelling Showpeople will be set out in the Duty to Cooperate Statement of Common Ground between our two Councils.

Policy A15 Loxwood

We support this policy as it will contribute to meeting Chichester District's unmet housing need, but consider it is not justified as stands and that its effectiveness could be improved. The five villages in the north of the Plan area (Kirdford, Wisborough Green, Loxwood, Ifold and Plaistow) are classified as Service Villages in the emerging Chichester Local Plan. They provide a reasonable range of basic facilities (e.g. primary school, convenience store and post office) to meet the everyday needs of local residents, or are villages that provide fewer of these facilities but that have reasonable access to them in nearby settlements. Loxwood is the strategic site identified to accommodate 220 dwellings over the plan period.

The nearby settlement of Billingshurst, in Horsham District, is considered to be the nearest main settlement to the villages identified above. Given the limited facilities available / or to be provided as part of the Loxwood allocation, it is considered that new residents are likely to be reliant at least some key facilities in Billingshurst, potentially including the GP surgery, the railway station (and rail user car park), The Weald secondary school and sixth form, the library and the retail and community facilities, including the leisure centre. Within Horsham District, there are potential proposals for strategic scale extensions to Billingshurst / new settlements relatively close to Billingshurst. Whilst no decisions have been made with respect to our local plan, housing growth delivered through our own local plan will create potential impacts on existing infrastructure which is already under significant pressure. We therefore require clear evidence that potential cumulative impacts on settlements in HDC have been considered as part of the proposed allocations. We would ask that CDC works collaboratively with HDC and other stakeholders to ensure future pressures on infrastructure in Horsham District is appropriately addressed. Consequently, we seek further clarification in Policy A15: Loxwood to emphasise the importance of collaborative working between stakeholders to mitigate against the potential cumulative impact of development.

I do hope these comments are helpful. I would like to emphasise that they are made in anticipation of further constructive dialogue between our authorities, and with an expectation that matters on which we have flagged concern can be readily addressed, and quite possibly eliminated through our Duty to Cooperate discussions. Should you require any further detail or information in regard to this response please don't hesitate to contact a member of my Strategic Planning team.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC Reg 19 Written Representation (16 March 2023) Redacted - <https://chichester.oc2.uk/a/shc>

**Support**

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

#### Summary:

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment.] We acknowledge that the quantum and locations of development presented in the planning policies of the document are clear and understandable.

#### Full text:

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.



Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to

ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of  
 - 10,359 dwellings  
 - 114,652 net additional sqm new floorspace  
 Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby

necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** The Brooks Family [8117]

**Agent:** Henry Adams LLP (Mrs Dawn Appleton, Senior Planner) [8118]

**Summary:**

Failed to provide sufficient justification for not meeting housing need, not justified assisting unmet need from adjoining authorities. Position of growth predicated on basis of A27 not having sufficient capacity to accommodate higher growth of 535 dpa. Evidence base (Transport Study 2023) contradicts position, Council should at least be meeting its local housing need and also considering what part it can play with meeting unmet needs for adjoining authorities. Support approach to Boxgrove and allocation of minimum of 50 houses with suitable site to be identified through Neighbourhood Plan/ Site Allocations DPD. Site promoted will provide 15 affordable homes.

**Full text:**

See attached representation.

**Change suggested by respondent:**

The Council has failed to provide sufficient justification for not meeting its housing need in full and further not justified assisting unmet need from adjoining authorities.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written representation - <https://chichester.oc2.uk/a/sfw>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

Whilst we welcome this policy [NE12] for development management, it should be noted that the delivery of the Plan is overly reliant on development in the countryside through the spatial strategy. Of the 3,225 homes proposed between Chichester and Southbourne, overwhelmingly they will be built on greenfield sites. We would hope to see much greater focus on delivery of brownfield sites and urban locations.

**Full text:**

Whilst we welcome this policy for development management, it should be noted that the delivery of the Plan is overly reliant on development in the countryside through the spatial strategy. Of the 3,225 homes proposed between Chichester and Southbourne, overwhelmingly they will be built on greenfield sites. We would hope to see much greater focus on delivery of brownfield sites and urban locations.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/trr>

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

Recognition of the sustainable location of the Runcton HDA.

**Full text:**

Recognition of the sustainable location of the Runcton HDA.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/scj>  
Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/swd>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Reside Developments Ltd [8133]

**Agent:** Henry Adams LLP (Zac Denton) [8131]

**Summary:**

Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, we consider that the Plan area is capable of accommodating a greater housing quantum. This will facilitate development and help villages in particular to flourish and meet the objectives of the Local Plan. The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the SDNP. The Council's position of growth is predicated on the basis of the A27 not having sufficient capacity to accommodate a higher growth of 535 dpa. Its own evidence base (Transport Study 2023) contradicts this position and therefore the Council should at least be meeting their local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Reside Developments Ltd. The submission covers the general principles of the Local Plan, but has a focus on Land at Herons Farm, Kirdford, which is in our clients control. The land is shown on the attached location plan included at Appendix 1 and hereon referred to as the site.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Council's Local Plan, or as currently proposed, through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy.

These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- i. Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- ii. The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that is not agreeable as we believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa

position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given the scale of development expected for adjoining authorities, including the highly constrained SDNP area.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the Plan relies on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

'If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.'

2.15 The above is not precise and does not provide any clear timetable for delivery within the Plan period.

Whilst the strategy in the comments above could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent. However, due to the lack of evidence to demonstrate this, the 535 dpa figure should be capped. Given the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Approach to development in Kirdford

#### Overview

3.1 The Draft Local Plan defined Kirdford as a service village, which benefits from some local facilities and services including a village hall, a local shop and two pubs. The village has been allocated 50 units within the draft local plan and is therefore suitable for a quantum of growth. The Sustainability Appraisal (SA) identifies Kirdford as a village with some facilities, albeit that due to the absence of a school, these are limited. The SA notes that the delivery of community infrastructure would be required to accommodate any quantum of housing, our client's land provides ample opportunities to provide this infrastructure alongside housing. The HELAA identifies a number of sites which could come forward through the Neighbourhood Plan process.

#### Sustainability Appraisal

3.2 Section 5.4 of the SA states that it is important to consider each of the settlements within the plan area, and explore reasonable growth scenarios. 5.4.2 continues this, stating that there is a clear need to explore a wide range of growth quantum scenarios in the northeast plan area.

3.3 The Sustainability Appraisal addresses the constraints of this area in terms of its rural locality, unsustainable travel patterns and achieving water neutrality. 5.4.7 sets out that there are three reasonable growth scenarios for each of the four Parishes in the Northeast plan area, if the option of a new settlement at Crouchlands Farm is ruled out as unreasonable. 5.4.8 states there is a strong argument to suggest that this option is unreasonable, nevertheless, it has been deemed appropriate to take the option forward to consideration. Within the SA, the Council justifies their approach which comprises a blend between Scenario 1 and Scenario 2 as described below:

☐ Scenario 1 – Lower growth scenario across all parishes – This would relate to an allocation of 50 units to Kirdford.

☐ Scenario 2 – Higher growth scenario across all parishes – This would relate to an allocation of 150 units to Kirdford.

3.4 The SA sets out that it is fair to rule-out the lowest growth scenario for Kirdford (growth at committed sites only). The SA also sets out there is an argument for ruling out the highest growth scenario (300 homes) as unreasonable, as Kirdford is poorly connected and does not benefit from a primary school. The SA sets out three growth scenarios following the above. These scenarios relate to 50 homes, 150 homes, and 300 homes.

3.5 A blended approach for Parishes within the Northeast plan area has been supported within the SA, attributing the Scenario 1 model (lower growth) to Kirdford.

3.6 The reasoning given by the Council for attributing the lower growth figure to Kirdford relates to the unsuitability of the northeast plan area as a whole, including unsustainable travel patterns, risks to achieving water neutrality and settlement specific concerns relating to the potential impacts of growth of Kirdford.

3.7 Whilst these concerns raised within the SA and those regarding the existing infrastructure of the village are noted, we believe that the need to support the growth of existing villages, and the ability of development to create and enhance infrastructure should be afforded weight when considering the housing numbers attributed to the village.

3.8 The SA raises concerns surrounding the HELAA options towards the North of the village. This is mainly due to the connectivity to the village and

road network, and environmental concerns.

These concerns will be addressed later in this representation.

3.9 It should be noted more broadly that higher growth scenarios can provide more significant community infrastructure enhancements to the area.

#### 4 Suitability of Site

##### Site Description

4.1 Our client's land is located to the North of the main settlement of Kirdford, which is situated in the northeast of the District. The plan submitted alongside this statement includes land edged in red, to be considered for housing/community uses, and land in blue for biodiversity enhancements. For ease of reference, the red area has been split into Area A, Area B and Area C, which correspond to the split of the site in the HELAA. The site is connected to Kirdford by Footpath 610 and 606. As mentioned previously, the site was previously submitted to the Council's call for sites and is included in the most recent HELAA.

4.2 The Southernmost part of our client's land is annotated as Area A on the drawing included at Appendix 1 (HELAA reference HKD0007). The site was considered to be potentially suitable, subject to detailed consideration of access, and heritage impact. We believe that through well considered design, there is clear potential for development on this parcel as the site is well connected to the P.R.O.W and local transport network. Footpath 606 runs along the Northern boundary of the site, and Footpath 610 runs along the Western boundary of the site which provide access to the main settlement of the Kirdford. The access track to Heron's Farm is adjacent to the Eastern boundary of the site. Whilst the concerns relating to connectivity are noted, we believe there is strong evidence to suggest the site is well connected to the settlement, and there are achievable technical solutions to access.

4.3 The central parcel of our client's ownership is annotated as Area B on the drawing included at Appendix 1 (HELAA reference HKD0009). The site has been considered potentially suitable subject to consideration of access and landscape matters. The site is immediately adjacent to the established residential development at Bramley Close, and an allocated site with planning permission (HELAA reference HKD0002). We are of the view that there are technical solutions to access at the site, which can be explored as part of our 'next steps'. Footpath 610 provides pedestrian links to the main settlement. Further to this, we are of the view that development of this site to the North of the settlement appears as a natural continuation of Kirdford. This is due to the presence of the adjacent site to the West, the sports pitches to the North, and the shaping of the existing woodland. Initial landscaping works have been completed, and it has been concluded that appropriate landscape-led masterplanning, and green infrastructure plans can be provided as part of any prospective development, which would allow the landscape characteristics of the site and its locality to be retained and enhanced. The site provides an opportunity to introduce a new landscape framework within the parcels and enables any proposed development to sit within a treed landscape. Further works for the site would look to come forward following liaison with the Parish Council, which could include further landscaping evidence.

4.4 The Northernmost parcel is annotated as Area C on the drawing included at Appendix 1 (HELAA reference HKD0011). The site was deemed to be potentially suitable for residential development subject to considerations of access. As set out previously within this statement, the site has potential vehicular and pedestrian links to the settlement, and the wider transport network. We feel there are multiple technical solutions to achieving access to the site.

4.5 Whilst noted that in order to ease the consideration of the site, it is necessary to divide the site into sections, we are of the view that our clients land should be looked at more strategically. The SA sets out that the delivery of community infrastructure would be required to accommodate any quantum of housing and we would look to provide this within our clients ownership. The provision of this infrastructure will be subject to consultation with the Parish Council and local occupiers to understand what community infrastructure would be sought for the area. Further, the parcels provide an opportunity to introduce a new landscape framework and enables any development to sit within a treed landscape. The land within our client's control is considered to have potential to accommodate a quantum of up to 200 dwellings, including provision for selfbuild units.

4.6 The area outlined in blue is put forward as land for biodiversity enhancement, which could be delivered as part of any application.

##### Sustainability

4.7 The site is suitably located to deliver a host of benefits to the local area and help achieve objectives of the northeast of the District, without harm to the key attractions for visitors, the setting of the National Park, or the rural character of the locality.

##### Water Neutrality

4.8 One of the constraints of the north-east of the District is the requirement is for all new development to meet water neutrality, to ensure that any new it does not impact further on the habitat site comprising the Arun Valley Special Area of Conservation (SAC) or the Arun Valley Special Protection Area (SPA) & Ramsar site, in terms of groundwater abstraction within the Sussex North Water Supply Zone. It is anticipated that further advice and a mitigation strategy will be created by the Council and its partners to demonstrate how developments can achieve water neutrality. However, at present applicants are required to provide a water neutrality strategy to demonstrate how the development can achieve water neutrality.

4.9 To provide the Council with reassurance that the site is deliverable despite this constraint, it should be noted that our client has worked on other sites with this constraint, and has developed approved strategies in this instance to mitigate development.

#### 5 Conclusion

5.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, we consider that the Plan area is capable of accommodating a greater housing quantum. This will facilitate development and help villages in particular to flourish and meet the objectives of the Local Plan. The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the SDNP. The Council's position of growth is predicated on the basis of the A27 not having sufficient capacity to accommodate a higher growth of 535 dpa. Its own evidence base (Transport Study 2023) contradicts this position and therefore the Council should at least be meeting their local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.

5.2 Our clients land is well placed to assist in the delivery of a sustainable expansion of Kirdford, and deliver both much needed housing within the north-eastern plan area, but also provide highquality infrastructure within the area. The allocation of a greater quantum of housing to the village will support the vitality, and viability of services and facilities within the Northern villages.

5.3 At present, the Plan fails to be positively prepared and is inconsistent with the NPPF. On the basis that the Council don't reconsider their position, we wish to be present at the relevant Examination hearings to represent our clients' interests and further

discuss the views set out in this submission. Our next steps will include liaison with the Parish Council in order to best understand what they would like to see from development proposals within the area.

**Change suggested by respondent:**

Increase housing figure.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Reside Dev., Kirdford - Representation - March 2023 - Final.pdf - <https://chichester.oc2.uk/a/sjz>

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## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Gleeson Strategic Land (Mr Peter Rawlinson, Strategic Planner) [855]

**Summary:**

Fishbourne has been overlooked in the settlement hierarchies in the draft Policies S1 and S2, despite being a highly sustainable location with suitable and deliverable locations for growth. Fishbourne has been identified for the non-strategic provision of only 30 homes. There is no rationale for this as Fishbourne has a comparable number of services and facilities compared to other Service Villages, and should be recognised as a 'more sustainable' location where additional strategic-scale growth can and should occur. The current approach to the Spatial Strategy is no justified, and draft Policy S1 is not considered 'sound'. Promoted site documents for Land West of Clay Lane, Fishbourne all attached.

**Full text:**

2.11 Chapter 3 of the draft Local Plan defines how housing and other needs will be met spatially across the District, in accordance with a defined settlement hierarchy.

2.12 Paragraphs 3.5 through 3.28 of the Draft Local Plan summarise the rationale for the proposed distribution of growth, including noting:

- That growth is required in both urban and rural areas to meeting needs;
- The focus remains on Chichester city as a main sub-regional centre and the most sustainable location;
- Outside of Chichester, development will be focused on 'settlement hubs' within the east-west corridor at Tangmere and Southbourne;
- Outside of these locations land for new development will be identified and allocated through the Local Plan or a neighbourhood plan at Service Villages where there are suitable locations to do so; and
- The Local Plan aims to continue to protect the countryside.

2.13 Draft Policy S1 (Spatial Development Strategy) broadly reflects the above, and states that "new residential and employment development is [to be] distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements". The corresponding table identifies a range of 'Strategic Development Locations' which are considered to be the 'more sustainable settlements' including the service villages of Bosham, Hambrook / Nutbourne (combined) and Loxwood.

2.14 Draft Policy S2 (Settlement Hierarchy) expands this list to include a wider range of settlements where development will be delivered through site allocations as well as windfall development in accordance with other policies in the draft Plan.

2.15 Whilst we have no objection to the principle of distributing the majority of growth to the most sustainable location, subject to consideration of constraints, it is our view the Council has not sufficiently justified the rationale behind its settlement hierarchy.

2.16 This is because a key settlement, Fishbourne, has been overlooked in the settlement hierarchies set out in draft Policies S1 and S2 without good reason. Fishbourne, has not been identified as a more sustainable settlement and 'Strategic Development Location' in the table at draft Policy S1, and has instead only been identified in draft Policy S2 as a 'Service Village', and a location for the non-strategic provision of only 30 homes. This is despite Fishbourne being a highly sustainable location with suitable and deliverable locations for growth (including Gleeson's site as detailed in Section 3).

2.17 No evidence is provided which considers the sustainability of Service Centres that provides justification for Hambrook / Nutbourne, Loxwood and Bosham being elevated over Fishbourne.

2.18 From our own review, it is clear there is no rationale for this, as shown below:

Current population Sustainable transport options Existing services / facilities Draft Local Plan proposals

Fishbourne 2,666 Train Station and bus services Primary School

Medical Practice

Public Houses

Community Hall

Supermarket (Tesco Extra)

Roman Palace (inc. coffee shop) 30 homes

Hambrook / Nutbourne Hambrook: 1,908

Nutbourne: 1,962

Combined total: 3,870 Train Station (Nutbourne) and bus services Post office

Public House 300 homes

Loxwood 1,026 Bus services Primary School

Medical Practice

Post Office

Community Hall 220 homes

Bosham 1,578 Train Station and bus services Primary School

Medical Practice

Post office

Co-op shop

Churches

Public Houses 245 homes

2.19 We consider that Fishbourne should instead be recognised as a 'more sustainable' location where additional strategic-scale growth can and should occur. It has a commensurate number of services and facilities compared to other Service Villages. The proximity to Chichester compared to the other Service Centres and the multitude of employment opportunities and facilities there is also a unique strength of Fishbourne. It also benefits from a nearby Tesco Extra.

2.20 This would be consistent with the Regulation 18 Preferred Approach (December 2018) consultation which identified (through the previous version of draft Policy S1 – at that stage identified as Policy S3 Development Strategy) Fishbourne as a "larger and more sustainable settlement", alongside Bosham, Hambrook / Nutbourne and Hunston, with an allocation of a "minimum of 250 dwellings". Loxwood was not recognised as a more sustainable settlement at that time, albeit was still identified to accommodate 125 homes.

2.21 No information has been provided to justify this change in approach between the Regulation 18 and Regulation 19 consultation. We therefore consider the current approach to the Spatial Strategy is not justified and consider draft Policy S1 not "sound".

**Change suggested by respondent:**

Fishbourne should be recognised as a 'more sustainable' location where additional strategic-scale growth can and should occur. The housing requirement for Fishbourne should revert back to the amount set out in the Preferred Approach version of the Local Plan which was for 250 homes.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/syd>  
 Appendix A - Wildlife Corridor Technical Note - <https://chichester.oc2.uk/a/sy>  
 Appendix B - Illustrative Masterplan - <https://chichester.oc2.uk/a/syf>  
 Appendix C - LVIA - <https://chichester.oc2.uk/a/syg>  
 Appendix D - Transport Assessment - <https://chichester.oc2.uk/a/syh>  
 Appendix E - Flood Risk Assessment - <https://chichester.oc2.uk/a/syx>  
 Appendix F - Nutrient Neutrality Assessment - <https://chichester.oc2.uk/a/syj>



Appendix G - Ecological Appraisal - <https://chichester.oc2.uk/a/syk>  
 Appendix H - Arboricultural Impact Assessment - <https://chichester.oc2.uk/a/syz>  
 Appendix I - Archaeological Desk Based Assessment - <https://chichester.oc2.uk/a/sym>  
 Appendix J - Phase 1 Geo-Environmental Desk Study - <https://chichester.oc2.uk/a/syn>  
 Appendix K - Phase 2 Geo-Environmental Site Investigation - <https://chichester.oc2.uk/a/syy>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Gleeson Land (Mr Dominick Veasey, Planning Manager) [7915]

**Summary:**

We support the inclusion of Hambrook and Nutbourne as a service village within the district's settlement hierarchy. However, we question the need for the inclusion of the wording 'small-scale' when referring to housing developments consistent with the indicative housing numbers set out in Policy H3. No definition is provided over what does, or does not constitute 'small-scale'. There is a risk that small-scale could be inferred as excluding 'major development' as defined within the NPPF glossary. To avoid any confusion, we therefore consider the inclusion of 'small-scale' wording is superfluous, and should be deleted.

**Full text:**

We support the inclusion of Hambrook and Nutbourne as a service village within the district's settlement hierarchy. However, we question the need for the inclusion of the wording 'small-scale' when referring to housing developments consistent with the indicative housing numbers set out in Policy H3. No definition is provided over what does, or does not constitute 'small-scale'. There is a risk that small-scale could be inferred as excluding 'major development' as defined within the NPPF glossary. To avoid any confusion, we therefore consider the inclusion of 'small-scale' wording is superfluous, and should be deleted.

**Change suggested by respondent:**

Consider the inclusion of 'small-scale' wording is superfluous, and should be deleted.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Policy\_S1\_Gleeson\_Land.pdf - <https://chichester.oc2.uk/a/sbq>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Mr Graham Pick [8079]

**Agent:** Batcheller Monkhouse (Miss Clare Bartlett, Head of Planning) [7032]

**Summary:**

We do not agree that A27 capacity issues are a sufficient reason to rule out new housing where previously proposed on the Manhood Peninsula. Whilst we agree that development should be distributed in accordance with the settlement hierarchy, there should be provision for sites adjacent to service village boundaries to come forward for development where it would sustain existing facilities located there.

Without fully addressing the housing need, significant in-commuting associated with the planned quantum of employment space will result in even more traffic on the A27, not less.

**Full text:**

We do not agree that A27 capacity issues are a sufficient reason to rule out new housing where previously proposed on the Manhood Peninsula. Whilst we agree that development should be distributed in accordance with the settlement hierarchy, there should be provision for sites adjacent to service village boundaries to come forward for development where it would sustain existing facilities located there.

Without fully addressing the housing need, significant in-commuting associated with the planned quantum of employment space will result in even more traffic on the A27, not less.

**Change suggested by respondent:**

Allocate housing figures in service villages such as Birdham. Also provide for sites adjacent to service village boundaries to come forward for development where they would sustain existing facilities located there.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object****Document Element:** Policy S1 Spatial Development Strategy**Respondent:** Arun District Council (Kevin Owen) [7587]**Summary:**

The Development Strategy is not positively prepared or justified because it leaves a significant level of unmet need unresolved and may have cross boundary A27 capacity and development viability implications for planned and committed development in Arun as well as for ADC's future plan making. Chichester District Council's Regulation 19 Local Plan development strategy should account for the cross boundary contributions and positive steps to secure phased development needs allied to infrastructure to address its unmet need (including via the West Sussex and Greater Brighton Strategic Planning Board i.e. Local Strategic Statement - LSS3 update) as far as possible.

**Full text:**

Arun District Council (ADC) is concerned that the proposed Development Strategy is not positively prepared or justified. Subject to ongoing Duty to Cooperate discussions with Chichester District Council (CDC), ADC hopes to resolve these matters with a view to securing a Statement of Common Ground and subsequent withdrawal of these objections before the plan is submitted:-

- Level of unmet need for the plan period beyond 2026 is unresolved with potentially significant cross boundary implications;
- The infrastructure constrained approach delivering only the two scheme improvements on the A27 at Fishbourne and Bognor roundabouts (delivering reduced housing numbers), and the potential cross boundary impact with additional mitigation scheme costs and uplift from ADC planned and committed development (e.g. West of Bersted)
- uncertainty over ADC developments (i.e. West of Bersted, Pagham North and South) and their contributions towards A27 mitigation improvements e.g. A27 Whyke Road Roundabout
- The strategy is silent about cross boundary future growth assumptions (e.g. Arun) that may assist with A27 capacity. This may cap A27 capacity and ADC's future plan making and developments unviable because of the need for additional improvements

**Change suggested by respondent:**

Chichester District Council's Regulation 19 Local Plan development strategy should account for the cross boundary contributions and positive steps to secure phased development needs allied to infrastructure to address its unmet need (including via the West Sussex and Greater Brighton Strategic Planning Board i.e. Local Strategic Statement - LSS3 update) as far as possible.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy S1 Spatial Development Strategy**Respondent:** Elivia Homes [7817]**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]**Summary:**

An increased dwelling requirement (as suggested in the context of Policy H1 above) could be accommodated without the need to significantly alter the proposed spatial strategy of the Reg 19 Plan.

In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City.

In this respect the inclusion of additional land would make a significant contribution towards the delivery of the required housing need for Chichester,

**Full text:**

1.1 These representations to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) Consultation (hereafter referred to as the "Reg 19 Plan") have been prepared by Genesis Town Planning, on behalf of Elivia Homes Southern Ltd.

1.2 The representations also include at Appendix 1 a plan indicating the proposed settlement boundary extension at Clay Lane, which should be adopted to take account of the existing strategic allocation to the north, and the recent grant of planning permissions to the south. The inclusion of the land, which extends to approximately 2ha, is a logical extension of the boundary at this location and will provide the opportunity to deliver new housing in a way which is compatible with the character of the surrounding area. Such an approach complies with sustainability objectives and ensures that sites adjacent to the primary settlement of Chichester are appropriately considered as suitable sites to accommodate further housing.

1.3 Accompanying these representations are the appropriate representation forms in respect of Settlement Map A6a and SB1, Policy S1 and paragraph 3.7, and policy H1. These forms are to be read in conjunction with this submission.

**2 LEGAL COMPLIANCE**

2.1 One of the requirements for the preparation of a Local Plan as set in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, (as amended) is the publication of a Sustainability Appraisal (SA) that shows how the SA has been carried out, the information that is used as part of the process and what the outcomes were. The SA is a tool for assessing how the plan, when judged against other reasonable options will help achieve environmental, economic and social objectives.

2.2 The SA suggests that there is little or no argument for setting a housing requirement above the minimum local housing need of the 638 dwellings per annum (dpa) as set by the standard method (763dpa minus 125dpa for South Downs National Park area). This approach is contrary to paragraph 11a) of the National Planning Policy Framework (NPPF) in that it requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of their area.

2.3 It is noted that paragraph 11b) confirms that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas unless this is demonstrated to be unsustainable. The background evidence base for the Reg 19 Plan does not clearly demonstrate the reasons for restricting the overall scale, type and distribution of development in the plan area or that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

2.4 It is noted that the standard method requirement of 638dpa for the plan area is arrived at by removing 125dpa for the part of the district that falls within the South Downs National Park. The lack of any meaningful assessment for providing sufficient housing to meet the standard method figure is a significant error. Without such an assessment, the SA disregards the possibility of providing for sustainable development at the outset and does not therefore accord with the regulatory requirements referred to above.

2.5 Table 5.3 of the SA identifies a range of development scenarios with dwelling requirements for the plan area ranging from 567dpa to 606 dpa. These figures result in a shortfall of between 32dpa and 71dpa when compared to the standard method requirement of 638 dpa. As neither of these figures is significantly above the standard method figure, it is not unreasonable to expect the SA to also test a housing requirement/scenario of 638dpa, so that it reflects the confirmed minimum housing need of the plan area. This would be a reasonable alternative and should be tested. Only when this has been carried will it be possible to fully understand the likely implications of meeting housing needs in full. In doing this, the Plan will then comply with the Legal and Procedural Requirements.

### 3 SOUNDNESS

3.1 As set in paragraph 35 of the NPPF when local plans and spatial development strategies are examined they should be prepared in accordance with legal and procedural requirements to ensure that they are sound. It goes on to state that:

"Plans are sound if they are:

- a) Positively prepared – providing a strategy which, as minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."

3.2 As set out above, the Reg 19 Plan does not provide a strategy that seeks to meet the area's objectively assessed housing need, and the SA does not test all the reasonable alternatives. On this basis the plan has not been positively prepared and is not justified. As a result it is contrary to paragraphs 35a) and 35b) of the NPPF.

3.3 In addition to this, there is no clear evidence of effective and on-going working with neighbouring authorities as part of the statutory duty to cooperate. The SoCG should be made publicly available throughout the plan making process to provide transparency. Based on paragraph 1.25 of the Reg 19 Plan this requirement has not been carried out. This confirms that a SoCG is currently being prepared and will be made available for review on the council's website. As a result, the SoCG should have been made available on the LPA's website at the time the Reg 19 Plan was published for consultation. This does not appear to have been the case, which means that this part of the plan making process does not meet the requirements set out in paragraphs 27 and 35c) of the NPPF. As such the effectiveness test has not been complied with in full. The lack of a fully detailed SoCG on the Duty to Cooperate is particularly important in Chichester District as there is a substantial unmet need for housing arising in neighbouring authorities and other nearby authorities across the same sub-region. As yet the evidence base of the Reg19 Plan does not explain or demonstrate how the unmet housing need will be met.

3.4 This is an important omission as it does not accord with the procedural requirements. Until the outcome of this process is known and fully understood it is difficult to know if or how the strategy in the Reg 19 Plan is appropriate or needs modification.

### 4 COMMENTS ON THE REG 19 DRAFT PLAN

#### Policy H1 – Meeting Housing Needs

4.1 No exceptional circumstances exist in Chichester District to justify an alternative approach that deviates from the standard method figure of 763dpa. Taking account of the South Downs National Park requirement of 125dpa results in a minimum need of 638dpa for Chichester District.

4.2 Furthermore, the housing needs of particular groups are not reflected in the current standard method requirement of 638dpa. These include the following groups:

- Students – which creates a need for an additional 29dpa;
- people who require affordable housing - which generates a need of 433 affordable dpa (based on this figure and the thresholds set out in draft Policy H4: Affordable Housing it would be necessary to deliver 1,083 homes per annum to meet affordable housing need in full); and
- the unmet housing needs of neighbouring authorities and/or authorities in the same subregion, which at best are between 10,141 and 10,620 homes.

4.3 When the needs of students are added to the standard method figure the minimum need dwelling requirement would be 666dpa or 11,988 dwellings over the 18-year plan period 2021-2039.

4.4 When the full affordable need of 1,083dpa is factored in this results in a need for at least 19,494 dwellings over the plan period.

4.5 In addition to the above figures, there is also an unmet need for over 10,000 homes in related authorities over the plan period.

4.6 Based on the above there is clearly a need for significantly more homes than is suggested by the minimum standard method figure.

#### Infrastructure Capacity

4.7 Whilst it is noted that there are long-standing highway capacity issues on the A27 Chichester Bypass and more intermittent capacity problems with Wastewater Treatment facilities in the southern part of the district, these could be resolved if the emerging Reg 19 Plan made provisions to improve their capacity through proper long-term planning.

4.8 This approach is supported by paragraph 22 of the NPPF which confirms that plan-making should respond to long-term infrastructure requirements; and by paragraph 059 Ref ID 61-059 of the Planning Practice Guidance (PPG) which requires local planning authorities and policies that set out infrastructure deficiencies and how these will be addressed.

4.9 Existing capacity problems on the A27 are referred to throughout the Reg 19 Plan and its evidence base. Paragraph 5.2.11 of the SA refers to the southern plan area (i.e. the east-west corridor and Manhood Peninsula) as being highly constrained by capacity on the A27 and to detailed discussions with National Highways and West Sussex County Council (WSCC) over the course of 2019-2022 that led to a resolution that there is capacity for no more than 535dpa in this area. The background evidence does not, however, make it clear as to how the 535dpa figure was arrived at or the implications/infrastructure improvements that would be required to accommodate a higher dwelling provision in this part of the plan area.

4.10 It is important to note the "Chichester Transport Study - Local Plan Review Transport Assessment" (January 2023) prepared by Stantec is mainly focused on testing a single Local Plan spatial scenario for the period to 2039. Section 5.6 confirms that in addition to testing the 535 dpa in the south of the plan area that a sensitivity test for the delivery of 700 dpa in this part of the plan area was also carried out. Paragraph 5.6.1 confirms that higher levels of Local Plan development would enable higher levels of developer contributions to be raised towards funding the required Local Plan mitigation; and paragraph 5.6.3 comments that generally the proposed Strategic Road Network (SRN) mitigation can accommodate, in the most part, additional increase in development to 700 dpa. This is reiterated in paragraph 5.6.5 where it concludes "that in the main, the 700dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700 dpa demands, with additional mitigation being required".

4.11 Paragraph 8.5 of the Reg 19 Plan comments that in 2021 National Highways confirmed that the A27 Chichester By-Pass major improvement

scheme is included in the Road Investment Strategy Pipeline for the period 2025-30 (RIS3), but at this stage funding is not guaranteed. This situation is not uncommon as are many infrastructure projects which are considered necessary to support the emerging Local Plan. This is demonstrated by Table 3 of the Infrastructure Delivery Plan (January 2023). The fact that the funding has not yet been secured towards certain types of infrastructure, such as healthcare, should not be used as a reason to constrain the level of housing proposed in the emerging Local Plan. This approach also applies to transport infrastructure.

4.12 The approach of the Reg 19 Plan to impose limits on the amount of development over the Plan period because of existing infrastructure capacity issues is inconsistent with the objectives of national policy and could undermine the prospects of securing the funding necessary to improve infrastructure capacity. The approach of the emerging plan is therefore negative worded as it has the effect of constraining the level of housing below the minimum level needed and does not accord with the PPG or the objectives of national policy. A better, and more positive approach would be to plan for the necessary infrastructure, which in turn will maximise the prospects of securing the required infrastructure instead of deferring it.

4.13 The emerging Local Plan advocates a "monitor and manage" approach such that the funding for the necessary improvements to the A27 will be monitored, which itself will jeopardise that funding, and if the funding is secured then presumably the corresponding level of housing will be released to address some of the housing need. Instead of this approach, the emerging plan should pursue a "plan, monitor and manage" approach to meeting housing needs in full by committing to the delivery of the infrastructure improvements and if necessary, phasing the housing requirements towards the end of the plan period.

#### The Proposed Housing Requirement

4.14 These submissions confirm that the housing needs of the plan area will not be met by the proposed 10,350 dwelling requirement set out in Policy H1 of the Reg 19 Plan.

4.15 According to the standard method the minimum housing need is 11,484 dwellings (638 x 18). When the growth of the student population (28dpa) is factored in the minimum housing need increases to 11,988 homes, and when the full affordable housing needs (433dpa) are taken into account the overall need increases to at least 19,485 dwellings. Finally, there is a need for excess of 10,000 more homes to address the unmet needs of the sub-region.

#### Suggested Modification

4.16 Based on the above it is clear that the Policy H1 requirement needs to be reconsidered and increased. This can be achieved if the Local Plan seeks to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of NPPF.

4.17 In setting a revised housing requirement, the District Council must take into account the needs of particular groups (i.e. students and persons in need of affordable homes) and complete the Duty to Cooperate process by preparing a SoCG in respect of the unmet needs of the sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs.

#### Policy S1 - Spatial Development Strategy

4.18 Chapter 3 and Policy S1 of the Reg 19 Plan sets out the spatial strategy of the emerging plan.

These seek to disperse development across the plan area by:

1. Focusing the majority of planned sustainable growth at Chichester city and within the eastwest corridor;
2. Reinforcing the role of the Manhood Peninsula as home to existing communities, tourism and agricultural enterprise; and
3. Where opportunities arise, supporting the villages and rural communities in the North of the Plan Area.

4.19 An increased dwelling requirement (as suggested in the context of Policy H1 above) could be accommodated without the need to significantly alter the proposed spatial strategy of the Reg 19 Plan.

4.20 In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City.

4.21 In this respect the inclusion of additional land would make a significant contribution towards the delivery of the required housing need for Chichester, providing a flexible approach to housing delivery in a planned and progressive way.

#### Suggested Modification

4.22 The inclusion of land north of Clay Lane, as set out in Appendix 1 to these submissions, through an amendment to the settlement boundary on plans A6a and SB1, should comprise the area denoted in yellow.

4.23 This is a logical extension of the settlement boundary and aligns with the strategic allocation land to the west of Chichester, and the recently developed land to the south of Clay Lane. The enlarged settlement area comprises mostly commercial, and residential land (PDL) and is well contained by existing trees and vegetation to its boundaries. To the west, the site is also contained by the A27 which provides a clear defensible boundary, significantly screened by existing planting. As such, the site makes no meaningful contribution to wider open countryside, being as it is, contained by development or infrastructure features on all boundaries.

4.24 Providing a contiguous boundary to include the proposed settlement extension will not impact on the wider countryside, will result in no adverse impact on the landscape setting of the settlement of Chichester, and will ensure that a developable parcel of land makes a meaningful contribution to the district's housing need. Being located on the edge of Chichester City and its settlement boundary and to the south of the strategic allocation suggests that the site is sustainably located and therefore appropriate to accommodate further development.

#### Change suggested by respondent:

The inclusion of land north of Clay Lane, as set out in Appendix 1 to these submissions, through an amendment to the settlement boundary on plans A6a and SB1, should comprise the area denoted in yellow.

This is a logical extension of the settlement boundary and aligns with the strategic allocation land to the west of Chichester, and the recently developed land to the south of Clay Lane.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Reg 19 Reqs Final Doc V3 160323 redacted - <https://chichester.oc2.uk/a/sk5>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites.

Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Full text:****Executive Summary**

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here

we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Stagecoach South (Rob Vince) [8141]

#### Summary:

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### Full text:

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

#### 1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County

Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that "Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned." (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that "relevant bodies" are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 "Preferred Approach" consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable "new normal" post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.  
The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

"Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...

...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health..."

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

"Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment."

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to "Net Zero" that "The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment."

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 "Strategic Infrastructure" includes the following statement:

"To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process."

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a "sustainable or integrated" transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five



accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and "East of Chichester" (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary "The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks". This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation partake to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to "predicting and providing" for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to "offices", in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the ‘Five Villages’ area in Arun District.” We unequivocally endorse this conclusion. Realising a “game-changing” level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be “enhanced” and “reinforced”.

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan

goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method...” The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

“5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa.”

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF).

It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide has "run out of road" no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this. Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

“Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

### 6.2. Policy P4 Layout and Access

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

“1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

### Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

“Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car.”

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west through movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d'être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 "Development and the Strategic Highways Network", applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

"31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel." (our emphasis)

Within the text quoted above, references to National Highways and "the Company" can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District's identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity *inter alia*, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan's own Strategic Objectives can be met.

#### 7.2. Policy T1 Transport infrastructure



Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous "predict and provide" solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be added, Policy T1 should be modified to read:

"Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely

contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

"9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised."

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered "severe" in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the

LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...  
 • Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council’s aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

“...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;

• Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

#### 9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidably add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

#### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ...

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

"...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

"..."

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

" ...

12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;

" ...

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

" ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

" ...

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

" ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

" ...

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development

at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

" ...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

" ...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term



will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“...  
8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

**Support**

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Stagecoach South (Rob Vince) [8141]

#### Summary:

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### Full text:

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

##### 1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that

accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements

to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...

...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 "Strategic Infrastructure" includes the following statement:

"To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process."

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a "sustainable or integrated" transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and "East of Chichester" (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary "The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks". This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation partake to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to "predicting and providing" for unconstrained traffic growth is rooted in a deliverable evidence base, or proper

evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to "offices", in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to "monitor and manage" is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of "gridlock". The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

"Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use."

Underpinning the Plan's spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: "The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area's main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population."

This is clearly the appropriate focus for meeting the District's development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome. East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies

this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard

method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protected is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated



that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan’s spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this. Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

“Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

“1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to "roll forward" this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west through movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of "zero-sum" game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous "predict and provide" approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that "shared mobility" – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this "cars first" approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester "This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone." This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d'être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure

that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material. To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

...”

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

"9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised."

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to

involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

• Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council’s aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar of reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

“...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and...”

#### 9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the “Southern Gateway”, and this has governed our approach to the Council to date. We continue to have no “in principle” objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with “dead running” to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

#### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, unsurveyed and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ...

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...

- 10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

" ...

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local



Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

" ...

12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;

" ...

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base is in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

" ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

" ...

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

" ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

" ...

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

" ...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

" ...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community

severance caused by the railway line as well as the inclusion of cycling and pedestrian routes.” (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive “first principles” review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

...”

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

“Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the ‘Five Villages’ area in Arun District; and..”

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand

A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

A re-assessment of Boxgrove as a site for strategic level residential development should also take into account Plan Policy S1 regarding the Spatial Development Strategy. We object to the exclusion of Boxgrove from accommodating a strategic level of housing and feel that it should be included in Tier 3, as a settlement to accommodate a strategic development location. However, we do agree with the settlement hierarchy, as outlined in Plan Policy S2, with Boxgrove listed as one of 17 'Service Villages'.

**Full text:**

A re-assessment of Boxgrove as a site for strategic level residential development should also take into account Plan Policy S1 regarding the Spatial Development Strategy. We object to the exclusion of Boxgrove from accommodating a strategic level of housing and feel that it should be included in Tier 3, as a settlement to accommodate a strategic development location. However, we do agree with the settlement hierarchy, as outlined in Plan Policy S2, with Boxgrove listed as one of 17 'Service Villages'.

**Change suggested by respondent:**

Boxgrove should be included in Tier 3, as a settlement to accommodate a strategic development location.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** March 23 Reg 19 reps Chichester District Council RHL - Final.pdf - <https://chichester.oc2.uk/a/s8v>

## Support

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Millwood Designer Homes [7063]

**Agent:** Savills (Laura Eacott, Graduate Planner) [8144]

**Summary:**

MDH supports CDC's focus on increasing development in the north of the plan area.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/skj>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Reside Developments Ltd [8055]

**Agent:** Tetra Tech (Dr Chris Lyons, Director) [8054]

**Summary:**

Recognises large parts of the district are subject to constraints;

Concerned justification for constrained 535 dpa figure due to the A27 is not correct interpretation of Transport Study evidence. Suggests appears to be additional capacity;

Considers that any site that can be developed sustainably should be allocated in the plan and supported, to address large unmet housing need.

Concerned that proposed Site Allocations DPD does not give certainty over delivery.

**Full text:**

See submitted letter

**Change suggested by respondent:**

The housing number should be increased as there appears to be additional capacity on the A27 beyond that stated.

Additional sites that are currently in the planning system without technical problems and recommended by officers for planning permission should be allocated in the Local Plan to meet the housing need.

There needs to be more certainty on what happens if Neighbourhood Plans and the District Council do not deliver the housing numbers expected in a timely manner.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Local Plan reps (Willowbrook) redacted - <https://chichester.oc2.uk/a/sx5>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Needs to be more focus on non-strategic housing provision, even at service village level. Encouraging moderate growth and new infrastructure will benefit service villages and in turn, assist with creating sustainable communities and reducing the need to travel.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Point 6 should be encouraging new development, suggesting small scale housing would be suitable.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

## Support

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Aspiration of policy generally supported.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** DG Phillips (Bosham) Ltd and Phillips Build Ltd [1743]

**Agent:** Genesis Town Planning Ltd (Kris Mitra, Managing Director) [6993]

**Summary:**

An increased dwelling requirement (as suggested in the context of Policy H1 above) could be accommodated without the need to significantly alter the proposed spatial strategy of the Reg 19 Plan.

In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City to include the site subject of these representations.

**Full text:**

1 INTRODUCTION

1.1 These representations are to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) Consultation (hereafter referred to as the "Reg 19 Plan"). These representations have been prepared by Genesis Town Planning, on behalf of D G Phillips (Bosham) Ltd and Phillips Build Ltd as owners of the site comprising approximately 9ha of agricultural land north of Brandy Hole Lane and to the west of Plainwood Close, Chichester.

1.2 The representations also include at Appendix 1 a plan indicating the proposed amendment to the settlement boundary and the inclusion of the site as a suitable housing allocation for up to 300 dwellings. Such an allocation is proposed to address the Council's failure to adequately deliver sufficient housing through the Reg 19 Plan. The site is suitable, available and deliverable and complies with the sustainability objectives set out in the Reg 19 Plan and national policy and ensures that sites, adjacent to the primary settlement of Chichester, are appropriately considered as suitable sites to accommodate further housing.

1.3 These representations, in addition to seeking the inclusion of the site as a housing allocation and an amendment to the settlement policy boundary, also seeks to remove the proposed inclusion of the site within a strategic wildlife corridor. The inclusion of the land in such a corridor has no bearing on the characteristics of the site, its agricultural form, the fact that it is separated from the wildlife corridor to the south by Brandy Hole Lane and extensive housing development. This is an illogically thought through designation, which has paid no regard to the site character or its location and has been deliberately imposed to prevent housing development coming forward on the site. There is no wildlife, ecological or environmental features on the site, with the exception of boundary trees and vegetation, that would justify such a designation washing over the site and neighbouring land, which includes a former landfill site and a solar farm.

1.4 Accompanying these representations are the appropriate representation forms in respect of Settlement Map SB1, Map NE4b, Policy S1 and paragraph 3.7, policy H1, and Policy NE4. These forms are to be read in conjunction with this submission.

2 LEGAL COMPLIANCE

2.1 One of the requirements for the preparation of a Local Plan as set in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, (as amended) is the publication of a Sustainability Appraisal (SA) that shows how the SA has been carried out, the information that is used as part of the process and what the outcomes were. The SA is a tool for assessing how the plan, when judged against other reasonable options will help achieve environmental, economic and social objectives.

2.2 The SA suggests that there is little or no argument for setting a housing requirement above the minimum local housing need of the 638 dwellings

per annum (dpa) as set by the standard method (763dpa minus 125dpa for South Downs National Park area). This approach is contrary to paragraph 11a) of the National Planning Policy Framework (NPPF) in that it requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of their area.

2.3 It is noted that paragraph 11b) confirms that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas unless this is demonstrated to be unsustainable. The background evidence base for the Reg 19 Plan does not clearly demonstrate the reasons for restricting the overall scale, type and distribution of development in the plan area or that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

2.4 It is noted that the standard method requirement of 638dpa for the plan area is arrived at by removing 125dpa for the part of the district that falls within the South Downs National Park. The lack of any meaningful assessment for providing sufficient housing to meet the standard method figure is a significant error. Without such an assessment, the SA disregards the possibility of providing for sustainable development at the outset and does not therefore accord with the regulatory requirements referred to above.

2.5 Table 5.3 of the SA identifies a range of development scenarios with dwelling requirements for the plan area ranging from 567dpa to 606dpa. These figures result in a shortfall of between 32dpa and 71dpa when compared to the standard method requirement of 638 dpa. As neither of these figures is significantly above the standard method figure, it is not unreasonable to expect the SA to also test a housing requirement/scenario of 638dpa, so that it reflects the confirmed minimum housing need of the plan area. This would be a reasonable alternative and should be tested. Only when this has been carried will it be possible to fully understand the likely implications of meeting housing needs in full. In doing this, the Plan will then comply with the Legal and Procedural Requirements.

### 3 SOUNDNESS

3.1 As set in paragraph 35 of the NPPF when local plans and spatial development strategies are examined they should be prepared in accordance with legal and procedural requirements to ensure that they are sound. It goes on to state that:

"Plans are sound if they are:

- a) Positively prepared – providing a strategy which, as minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."

3.2 As set out above, the Reg 19 Plan does not provide a strategy that seeks to meet the area's objectively assessed housing need, and the SA does not test all the reasonable alternatives. On this basis the plan has not been positively prepared and is not justified. As a result it is contrary to paragraphs 35a) and 35b) of the NPPF.

3.3 In addition to this, there is no clear evidence of effective and on-going working with neighbouring authorities as part of the statutory duty to cooperate. The SoCG should be made publicly available throughout the plan making process to provide transparency. Based on paragraph 1.25 of the Reg 19 Plan this requirement has not been carried out. This confirms that a SoCG is currently being prepared and will be made available for review on the council's website. As a result, the SoCG should have been made available on the LPA's website at the time the Reg 19 Plan was published for consultation. This does not appear to have been the case, which means that this part of the plan making process does not meet the requirements set out in paragraphs 27 and 35c) of the NPPF. As such the effectiveness test has not been complied with in full. The lack of a fully detailed SoCG on the Duty to Cooperate is particularly important in Chichester District as there is a substantial unmet need for housing arising in neighbouring authorities and other nearby authorities across the same sub-region. As yet the evidence base of the Reg19 Plan does not explain or demonstrate how the unmet housing need will be met.

3.4 This is an important omission as it does not accord with the procedural requirements. Until the outcome of this process is known and fully understood it is difficult to know if or how the strategy in the Reg 19 Plan is appropriate or needs modification.

### 4 COMMENTS ON THE REG 19 DRAFT PLAN

#### Policy H1 – Meeting Housing Needs

4.1 No exceptional circumstances exist in Chichester District to justify an alternative approach that deviates from the standard method figure of 763dpa. Taking account of the South Downs National Park requirement of 125dpa results in a minimum need of 638dpa for Chichester District.

4.2 Furthermore, the housing needs of particular groups are not reflected in the current standard method requirement of 638dpa. These include the following groups:

- Students – which creates a need for an additional 29dpa;
- people who require affordable housing- which generates a need of 433 affordabled pa (based on this figure and the thresholds set out in draft Policy H4: Affordable Housing it would be necessary to deliver 1,083 homes per annum to meet affordable housing need in full); and
- the unmet housing needs of neighbouring authorities and/or authorities in the same subregion, which at best are between 10,141 and 10,620 homes.

4.3 When the needs of students are added to the standard method figure the minimum need dwelling requirement would be 666dpa or 11,988 dwellings over the 18-year plan period 20212039.

4.4 When the full affordable need of 1,083 dpa is factored in this results in a need for at least 19,494 dwellings over the plan period.

4.5 In addition to the above figures, there is also an unmet need for over 10,000 homes in related authorities over the plan period.

4.6 Based on the above there is clearly a need for significantly more homes than is suggested by the minimum standard method figure.

#### Infrastructure Capacity

4.7 Whilst it is noted that there are long-standing highway capacity issues on the A27 Chichester Bypass and more intermittent capacity problems with Wastewater Treatment facilities in the southern part of the district, these could be resolved if the emerging Reg 19 Plan made provisions to improve their capacity through proper long-term planning.

4.8 This approach is supported by paragraph 22 of the NPPF which confirms that plan-making should respond to long-term infrastructure requirements; and by paragraph 059 Ref ID 61-059 of the Planning Practice Guidance (PPG) which requires local planning authorities and policies that set out infrastructure deficiencies and how these will be addressed.

4.9 Existing capacity problems on the A27 are referred to throughout the Reg 19 Plan and its evidence base. Paragraph 5.2.11 of the SA refers to the southern plan area (i.e. the east-west corridor and Manhood Peninsula) as being highly constrained by capacity on the A27 and to detailed discussions

with National Highways and West Sussex County Council (WSCC) over the course of 2019-2022 that led to a resolution that there is capacity for no more than 535dpa in this area. The background evidence does not, however, make it clear as to how the 535dpa figure was arrived at or the implications/infrastructure improvements that would be required to accommodate a higher dwelling provision in this part of the plan area.

4.10 It is important to note the "Chichester Transport Study - Local Plan Review Transport Assessment" (January 2023) prepared by Stantec is mainly focused on testing a single Local Plan spatial scenario for the period to 2039. Section 5.6 confirms that in addition to testing the 535 dpa in the south of the plan area that a sensitivity test for the delivery of 700 dpa in this part of the plan area was also carried out. Paragraph 5.6.1 confirms that higher levels of Local Plan development would enable higher levels of developer contributions to be raised towards funding the required Local Plan mitigation; and paragraph 5.6.3 comments that generally the proposed Strategic Road Network (SRN) mitigation can accommodate, in the most part, additional increase in development to 700dpa. This is reiterated in paragraph 5.6.5 where it concludes "that in the main, the 70dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700dpa demands, with additional mitigation being required".

4.11 Paragraph 8.5 of the Reg 19 Plan comments that in 2021 National Highways confirmed that the A27 Chichester By-Pass major improvement scheme is included in the Road Investment Strategy Pipeline for the period 2025-30 (RIS3), but at this stage funding is not guaranteed. This situation is not uncommon as are many infrastructure projects which are considered necessary to support the emerging Local Plan. This is demonstrated by Table 3 of the Infrastructure Delivery Plan (January 2023). The fact that the funding has not yet been secured towards certain types of infrastructure, such as healthcare, should not be used as a reason to constrain the level of housing proposed in the emerging Local Plan. This approach also applies to transport infrastructure.

4.12 The approach of the Reg 19 Plan to impose limits on the amount of development over the Plan period because of existing infrastructure capacity issues is inconsistent with the objectives of national policy and could undermine the prospects of securing the funding necessary to improve infrastructure capacity. The approach of the emerging plan is therefore negative worded as it has the effect of constraining the level of housing below the minimum level needed and does not accord with the PPG or the objectives of national policy. A better, and more positive approach would be to plan for the necessary infrastructure, which in turn will maximise the prospects of securing the required infrastructure instead of deferring it.

4.13 The emerging Local Plan advocates a "monitor and manage" approach such that the funding for the necessary improvements to the A27 will be monitored, which itself will jeopardise that funding, and if the funding is secured then presumably the corresponding level of housing will be released to address some of the housing need. Instead of this approach, the emerging plan should pursue a "plan, monitor and manage" approach to meeting housing needs in full by committing to the delivery of the infrastructure improvements and if necessary, phasing the housing requirements towards the end of the plan period.

#### The Proposed Housing Requirement

4.14 These submissions confirm that the housing needs of the plan area will not be met by the proposed 10,350 dwelling requirement set out in Policy H1 of the Reg 19 Plan.

4.15 According to the standard method the minimum housing need is 11,484 dwellings (638 x 18). When the growth of the student population (28dpa) is factored in the minimum housing need increases to 11,988 homes, and when the full affordable housing needs (433 dpa) are taken into account the overall need increases to at least 19,485 dwellings. Finally, there is a need for excess of 10,000 more homes to address the unmet needs of the sub-region.

#### Suggested Modification

4.16 Based on the above it is clear that the Policy H1 requirement needs to be reconsidered and increased. This can be achieved if the Local Plan seeks to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of NPPF.

4.17 In setting a revised housing requirement, the District Council must take into account the needs of particular groups (i.e., students and persons in need of affordable homes) and complete the Duty to Cooperate process by preparing a SoCG in respect of the unmet needs of the sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs. In addition, the Reg 19 Plan should seek to allocate the land the subject of these representations for up to 300 dwellings to make up the shortfall identified.

#### Policy S1 - Spatial Development Strategy

4.18 Chapter 3 and Policy S1 of the Reg 19 Plan sets out the spatial strategy of the emerging plan.

These seek to disperse development across the plan area by:

1. Focusing the majority of planned sustainable growth at Chichester city and within the eastwest corridor;
2. Reinforcing the role of the Manhood Peninsula as home to existing communities, tourism and agricultural enterprise; and
3. Where opportunities arise, supporting the villages and rural communities in the North of the Plan Area.

4.19 An increased dwelling requirement (as suggested in the context of Policy H1 above) could be accommodated without the need to significantly alter the proposed spatial strategy of the Reg 19 Plan.

4.20 In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City to include the site subject of these representations.

4.21 In this respect the inclusion of additional land would make a significant contribution towards the delivery of the required housing need for Chichester, providing a flexible approach to housing delivery in a sustainable, planned and progressive way.

#### Suggested Modification

4.22 The inclusion of land to the north of Brandy Hole Lane and west of Plainwood Close, as set out in Appendix 1 to these submissions, should be secured through an amendment to the settlement boundary on Plan SB1. Further, the site should be allocated as a suitable housing site for up to 300 dwelling units to meet the required housing need for the district.

4.23 In support of this approach the Council undertook an assessment of the site's suitability for development as part of the HELAA process in 2021. A copy of the HELAA Assessment and associated plan is contained at Appendices 2 and 3. This confirms that the site is in agricultural/ pasture use and is suitable for development subject to consideration of matters such as access, landscape and trees. The assessment goes on to confirm that there are no known constraints that would make the development unachievable in principle.

#### Policy NE4

4.24 Despite the above assessment, the subject site has been included within proposed Policy NE4 of the Reg 19 Plan as a Wildlife Corridor to function in conjunction with the designation of the land to the west of the strategic allocation which lies to the south of Brandy Hole Lane and the B2178. The site the subject of these representations is fundamentally distinct in character from the wooded areas to the south of the B2178 and to the west of the strategic allocation. These comprise compartmentalised fields and clusters of woodland which frame the field boundaries. In contrast, the subject site comprises agricultural land with a modest treed boundary and is largely open in character, but visually contained. The remainder of the proposed Wildlife Corridor in this location comprises open agricultural fields with limited landscape boundaries, the former landfill site at Hunters Race and the solar farm to the north. None of these areas possess the qualities of the land further to the south to justify being designated a Wildlife Corridor. Such a designation has been imposed merely as a tool to prevent further development of what would otherwise be deemed suitable land for housing.



**Suggested Modification**

4.25 The proposed Wildlife Corridor to the north of Brandy Hole Lane should be deleted from the Reg 19 Plan and removed from the settlement map NE4b. Furthermore, Policy NE4 requires any development within the designated Wildlife Corridor to be subject to a sequential test which places a significantly higher bar than that set out within the NPPF. The does not comprise a designated landscape, and proposed Policy NE4 fails to identify any special qualities that apply to the designated area in this location.

**Change suggested by respondent:**

The inclusion of land to the north of Brandy Hole Lane and west of Plainwood Close, as set out in Appendix 1 to these submissions, should be secured through an amendment to the settlement boundary on Plan SB1.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Reg 19 Final Representations Doc v2 170323 - <https://chichester.oc2.uk/a/sm7>

**Support**

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

**Summary:**

We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

**Full text:**

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

**Chapter 2: Vision & Strategic Objectives**

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

**Chapter 3: Spatial Strategy and Settlement Hierarchy**

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

**Policy S1 Spatial Development Strategy**

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterates that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

**Policy S2 Settlement Hierarchy**

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for

each of the sites can be found in Appendices 1-8.

#### Chapter 4: Climate Change and the Natural Environment

##### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

##### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

##### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

#### Chapter 5: Housing

##### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

##### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

##### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

##### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it

could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'.  
However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

#### Chapter 6: Place-making

##### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

#### Chapter 7: Employment and Economy

##### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period." Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

#### Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council's proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE's land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

##### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there

are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

#### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

##### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>

D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
 East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
 Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
 Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
 Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Dandara Southern Limited [8180]

**Agent:** Henry Adams LLP (Mrs Rebecca Tier, Senior Planner) [8116]

### Summary:

- Do not accept that A27 capacity matters present a ceiling in terms of housing delivery;
- Do not accept that the Plan and associated SA demonstrates reasonable alternatives being considered;
- Plan therefore not positively prepared nor approach to housing figures justified;
- Plan does not appear to meet the exceptional circumstances allowed for within NPPF to justify alternative approach;
- Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### Full text:

#### 1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation in relation to the land at Flat Farm, Hambrook, PO18 8FT, as shown on the attached plan HA Appendix 1: Site Location Plan, and hereon referred to as the site.

1.2 This representation will provide a written responses in relation the questions in the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

#### 2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District through an appropriate allocation within the Council's Local Plan, or through an allocation of numbers to the Hambrook Parish as set out in policy A12 of the Draft Local Plan, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that we do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study

comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the plan does rely on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst my comments are noted above that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Development in Chidham, Hambrook & Nutbourne

3.1 Our client's site is located within the village of Nutbourne and comprises an area of land of 1.3 hectares adjacent to the existing residential development along Broad Road. The site is currently located outside, but directly to the east of the settlement boundary of Nutbourne.

3.2 The Local Plan provides for a moderate level of growth within the parishes of Fishbourne, Chidham & Hambrook and Bosham, known as service villages, where it is acknowledged that there is good / excellent potential to bring forward development with opportunities to support and expand existing facilities and for increased use of public transport options.

3.3 Policy A12 relates to the strategic Chidham and Hambrook allocation and confirms that land will be allocated for development in the revised Chidham and Hambrook Neighbourhood Plan for a minimum of 300 dwellings and supporting facilities and infrastructure.

3.4 The Parish of Nutbourne and Hambrook is a logical position for the strategic expansion of 300 dwellings, given its sustainable transportation links and lack of constraints in comparison to other locations within the southern area of the District. The evidence documents which have informed the Plan also support the quantum of development put forward in the policy allocation.

3.5 As our client's land could deliver up to 40 dwellings, it would be an appropriately sized site, adjacent to the existing settlement boundary of Nutbourne, which would not compromise the spatial development of Nutbourne or Hambrook to the north. We will therefore be looking to promote our client's site with Chidham & Hambrook Parish Council through a Neighbourhood Plan allocation, and will be recommending to the Parish they allocate a number of small to medium sites to meet the Local Plan policy requirement of 300 dwellings. This development strategy will ensure the integrity and current linear spatial pattern of the service villages are maintained.

3.6 Our client's land is ideally situated adjacent to existing residential development which surrounds the site to the north, south and west. This includes the recent development at Hambrook Place and the linear form of dwellings along Broad Road to the west, Hambrook Holiday & Caravan Park to the north and further residential development accessed from Broad Road to the south. The site would not extend further to the east than the built form of development located to the north and south and would not therefore encroach on the wider field pattern to the east. The impact on the wider rural landscape to the east would therefore be limited and the views looking towards the South Downs from the A259 would not be harmed.

3.7 The site sits outside and to the south of the Green Corridor shown in the Interim Version of the Chidham & Hambrook Neighbourhood Plan Strategy published October 2021. The development of this site would not therefore impact on the integrity of the Green Corridor or the gap between the settlement boundaries of Hambrook and Nutbourne as shown in the Neighbourhood Plan Strategy.

#### The Current Appeal

3.8 In addition to the promotion of the site for allocation within the next iteration of the Neighbourhood Plan, the Council will be aware that this site is also currently subject to a pending appeal relating to planning application 20/03378/OUT. This application seeks outline planning permission for thirty dwellings with access, associated works, including the provision of swales.

3.9 The pending planning appeal follows a previous outline application, 20/00412/OUT for an entry level housing scheme of thirty-five affordable dwellings which was dismissed at appeal on 14 January 2022. The main reason for dismissing this appeal was the proposed development was considered to give rise to adverse effects on the integrity of the local Habitats sites. Whilst the Inspector considered adequate mitigation measures in respect of nutrient neutrality had been provided by the Appellant, an appropriate mechanism for securing these measures for the duration of the development had not been provided with any adequate degree of certainty. It should be noted that no other concerns were raised by the Inspector in relation to the suitability of this site for the development.

3.10 The Council have raised two concerns in relation to the current pending appeal for thirty dwellings on the site. The Council raise concern with future occupiers of the discounted market housing (DMS) not being able to obtain mortgages due to properties proximity to electricity pylons which would lead to properties being occupied on a social rented basis. In this scenario, the Council consider in combination with the adjacent social rented scheme, this would result in an unacceptably high concentration of mono tenure properties.

3.11 The Chidham & Hambrook Neighbourhood Plan Strategy also notes the presence of pylons and overhead power lines along the northern edge of Nutbourne and the limitations this might cause to development in relation to the guidance published by National Grid (Design Guidelines for Development near Pylons and High Voltage Overhead Power Lines).

3.12 Taking into account the Inspector's comments on this point in relation to the previous appeal for 35 no. affordable residential dwellings, it should be noted that the Inspector previously considered that the Appellant's evidence demonstrated that there were lenders willing to offer mortgages for DMS properties.

3.13 It should also be noted that as this forms an outline planning application with all matters reserved except for access, the layout of affordable housing is not a matter to be considered under this outline appeal scheme. Nine affordable units would also not lead to an intensive cluster of

affordable housing as they have frontages onto different roads.

3.14 The second issue raised by the Council in relation to the appeal could be overcome through the provision of a s106 agreement to provide an appropriate mechanism to secure the mitigation measures relating to nutrient neutrality.

3.15 As the Council have raised no concerns in relation to the principle of residential development on the site with regard to the current planning appeal, the use of the site for residential development is generally considered to be acceptable. This could be delivered through a successful outcome on the current appeal, through a future allocation within the Neighbourhood Plan or via an SPD prepared by the Council.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Hambrook Representation - <https://chichester.oc2.uk/a/snk>  
Representation Form - H1 - <https://chichester.oc2.uk/a/snz>  
Representation Form - S1 - <https://chichester.oc2.uk/a/snm>  
Representation Form H3 - <https://chichester.oc2.uk/a/snn>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Cross referencing and further explanation is required

**Full text:**

Cross referencing and further explanation is required

**Change suggested by respondent:**

Criterion 4 Reference to Westhampnett (Policy A9 and Policy A10) should be cross referenced to the relevant policy pages at this point – possibly through a footnote – to indicate the removal of land previously allocated.

Criterion 5b this should be expanded to not only reflect ‘characteristics of the area’ but also to address the need for the development promoted, its contribution to wider benefits and to the evolution and sustainability of existing employment, and include tourism and leisure proposals. Heritage interests should be added to the list of proposals.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Forestry Commission (Richard Cobb) [8202]

**Summary:**

Forestry Commission provides advice, does not support or object.

Ancient woodlands, veteran and ancient trees are irreplaceable habitats, and it is essential that they are considered appropriately to avoid any direct or indirect effects that could cause their loss or deterioration, in line with Government Standing Advice. Any development or plan that include these irreplaceable habitats on or near to the site should aim to deliver high standards of net gains and ecological connectivity that supports wider ecological networks, in line with good practice.

The development strategy should prioritise the protection of trees and woodlands with the highest priority being given to ancient woodland, ancient and veteran trees as individual habitats and as part of wider ecological networks.

**Full text:**

Please note that as a Non-Ministerial Government Department, we provide no opinion supporting or objecting to planning applications or local plans including their soundness or legal compliance.

Rather we are including advice and information that we advise the Council consider to ensure their pre-submission local plan avoids potential impacts and promote enhancements/expansion as part of the proposed local plan regarding trees and woodland, including ancient woodland. We acknowledge that the purpose of Regulation 19 consultations does not usually extend to making substantial changes which are not related to soundness so we offer our advice as helpful guidance to ensure the local plan takes every opportunity to secure the protection, enhancement and expansion of Chichester’s valuable trees and woodlands to comply with planning policy, good practice and to make the most of the many benefits they provide to the environment, local economy and community.

**Overall Comments**

Ancient woodlands, veteran and ancient trees are irreplaceable habitats, and it is essential that they are considered appropriately to avoid any direct or indirect effects that could cause their loss or deterioration, in line with Government Standing Advice. Ancient Woodland has very high potential ecological value and should act as integral focal points, alongside other locally and nationally designated sites, as part of delivering landscape scale nature recovery.

Any development or plan that include these irreplaceable habitats on or near to the site should aim to deliver high standards of net gains and ecological connectivity that supports wider ecological networks, in line with good practice. This will also be a requirement as part of the local nature recovery strategies being driven by the Environment Act 2021 and we advise that plans should anticipate this to maximise environmental benefits to contribute to reversing the national trend of ecological decline as part of broader nature recovery networks. The Local Plan should be considered as a crucial and timely opportunity to secure significant and strategic, plan-led environmental gains due to their scope and scale, particularly given the timescales of development being influenced that coincide with UK Government commitments regarding halving emissions and protecting 30% of nature by 2030, towards a net-zero carbon and nature positive economy.

The development strategy should prioritise the protection of trees and woodlands with the highest priority being given to ancient woodland, ancient and veteran trees as individual habitats and as part of wider ecological networks.

#### Site Allocation comments:

##### Policy A7 Land at Shopwyke (Oving Parish)

Site specific considerations could recognise the existing trees, hedgerows and woodland and prioritise their protection, enhancement and expansion as part of biodiversity net gains. Acoustic screening referred to could also use trees to make the most of multi-functional benefits they bring.

##### Policy A8 Land East of Chichester

We welcome efforts to bolster the existing woodland and the proposed strategic wildlife corridor to the East and the enhancements that development could bring.

##### Policy A11 Highgrove Farm, Bosham

Bolster planting to North, South and East is welcome. This policy could be improved by requiring bolster planting to the West as well, where there appears to be an existing line of trees, making it well placed to further contribute to wider connectivity with existing and additional planting.

##### Policy A12 Chidham and Hambrook and Policy A13 Southbourne Broad Location for Development

We note that more detailed proposals will emerge as part of a Neighbourhood plans. We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this). The policy could be improved by highlighting its importance and high priority as part of efforts to protect, enhance, expand and connect habitats as part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area. The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development

##### Policy A14 Land West of Tangmere

The requirement for significant levels of green infrastructure is welcome. This policy could be strengthened by requiring development to retain and bolster existing hedgerows and trees wherever possible.

##### Policy A16 Goodwood Motor Circuit and Airfield and Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

##### Policy A21 Land east of Rolls Royce

This area contains areas of existing trees, hedgerow and woodland which are not currently mentioned by the policy. We would encourage any development to be sensitive to this and provide additional planting where possible.

#### Overarching comments

We would welcome the consideration of incorporating large and small pockets of multi-functional woodland as part of green infrastructure provision for development, particularly given the relatively low proportion of woodland found throughout the District, and the benefits this can have as 'stepping stones' between habitats as part of the Local Plan's welcome vision of strategic wildlife corridors.

We also encourage the Council to appraise the plan against the following advice to maximise the benefits from protection, enhancement and expansion of woodlands, trees and connectivity throughout the District:

#### Additional improvements to consider

- Tree/hedgerow removal is considered as a last resort but where it is justified, we advise that developments can aim to deliver no net deforestation to help encourage development that provides an overall environmental gain. Where trees are required to be removed, additional tree planting will be made to compensate for this loss and we would advise that additional planting should be made to help compensate for the loss of habitat in the time it takes for new trees to mature.
- Long term management and maintenance of planted trees and woodland creation to give them every chance to becoming established and where trees do fail, they are replaced
- A minimum standard for tree canopy cover for new developments (e.g. for large-scale developments) as it provides a targetable level of green infrastructure in relation to trees for the numerous ecosystem services they provide.
- Precautions should be incorporated into any woodland design and tree planting to ensure that habitat creation is established successfully and that potential impacts from deer are managed on site and in the surrounding area as appropriate. See here for further guidance that should be followed for managing impacts from deer as part of woodland creation and tree planting: <https://www.gov.uk/government/publications/woodland-creation-and-mitigating-the-impacts-of-deer/woodland-creation-and-mitigating-the-impacts-of-deer> Some good practice advice is also provided in Appendix 1 of this letter.
- We advise that any tree planting should meet the following:
  - o Trees should be healthy and good practice biosecurity should be followed to prevent the risk of spreading pests and disease, in line with Government advice: <https://www.gov.uk/government/collections/tree-pests-and-diseases>. More information on the plant healthy can be found at: Welcome to Plant Healthy - Plant Healthy
  - o Created or restored habitat should be managed in perpetuity in line with a robust management plan that follows good practice to ensure assumed benefits of created habitats are delivered in practice (see Standing Advice referred to on page 1). We recommend meeting the UK Forestry Standard to demonstrate this.
- To help mitigate climate and support local economy would urge council to develop local plan policy that makes use of locally sourced timber. This has multiple benefits as it can help store carbon within development, reduce impact from transportation, reduce embodied carbon from alternative materials and support local economies and communities.
- Where developments incorporate District Heating, consider locally and sustainably sourced wood-fuels for the benefits this can have for renewable energy and towards a local, circular economy
- Use tree planting as part of nature based solutions for managing flood risk as well as other multi-functional benefits from green infrastructure as part of any development (e.g. Trees and woodlands provide £400 million of value in flood protection)
- We encourage the Council to refine their strategy to trees and woodlands using the recently launched 'Trees and Woodland Strategy Toolkit' available here: <https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/> to design and deliver a local tree strategy to harness the long-term benefits that trees can bring to local communities. The local plan should be developed with tree/woodlands in mind as an integral part, alongside other supplementary strategies for the environment including biodiversity, green infrastructure, nature recovery and climate change.

#### Key guidance regarding trees, woodland and development

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 180(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy



exists. In considering the impacts of the development on Ancient Woodland, Ancient and Veteran trees, the planning authority should consider direct and indirect impacts resulting from both construction and operational phases.

Please refer to Natural England and Forestry Commission joint Standing Advice for Ancient Woodland and Ancient and Veteran Trees, updated in January 2022. The Standing Advice can be a material consideration for planning decisions, and contains advice and guidance on assessing the effects of development, and how to avoid and mitigate impacts. It also includes an Assessment Guide which can help planners assess the impact of the proposed development on ancient woodland or ancient and veteran trees in line with the NPPF.

Existing trees should be retained wherever possible, and opportunities should be taken to incorporate trees into development. Trees and woodlands provide multiple benefits to society such as storing carbon, regulating temperatures, strengthening flood resilience and reducing noise and air pollution.[1] Paragraph 131 of the NPPF seeks to ensure new streets are tree lined, that opportunities should be taken to incorporate trees elsewhere in developments, and that existing trees are retained wherever possible. Appropriate measures should be in place to secure the long-term maintenance of newly planted trees. The Forestry Commission may be able to give further support in developing appropriate conditions in relation to woodland creation, management or mitigation.

Biodiversity Net Gain (BNG): Paragraph 174(d) of the NPPF sets out that planning (policies and) decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 180(d) encourages development design to integrate opportunities to improve biodiversity, especially where this can secure net gains for biodiversity. A requirement for most development to deliver a minimum of 10% BNG is expected to become mandatory from November 2023. The planning authority should consider the wide range of benefits trees, hedgerows and woodlands provide as part of delivering good practice biodiversity net gain requirements. Losses of irreplaceable or very high distinctiveness habitat cannot adequately be accounted for through BNG.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Forestry Commission Planning Guidance Annex 1.pdf - <https://chichester.oc2.uk/a/t5r>

## Object

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Landlink Estates Ltd [1764]

**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]

**Summary:**

Objection on grounds that policy does not address net zero and climate change adaptation and mitigation; positive strategy must expressly achieve net zero including renewable energy and carbon sequestration; must address strategic allocation of climate change management area and issue of coastal retreat, including strategy for replacement homes lost to climate change; Para 4.76 inconsistent with SA that excludes strategic development on MP due to climate change; nothing in evidence base in terms of re-provision of homes and infrastructure required for climate adaptation; removal of strategic site at Selsey unsound as not justified, nor supported by evidence because:

1. Does not respect the settlement hierarchy;
2. SFRA confirms the site passes the sequential test;
3. Does not mitigate impacts on B2145

**Full text:**

See attachments.

**Change suggested by respondent:**

The suggested changes to the policy includes achieving net zero by positive strategy for development of energy from renewable sources and carbon sequestration, climate change and adaptation for coastal change management, and adding detail about resilience on the Manhood Peninsula including tidal flooding.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sjr>

1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>

3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>

Email Trail - <https://chichester.oc2.uk/a/sj3>

2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>

4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>

5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>

6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>

6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>

8. Archaeological DBA - <https://chichester.oc2.uk/a/sj9>

12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>

13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>

13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>

13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>

14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>

7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>

11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>

9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>

10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>

Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>

Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>

## Support

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Support intent of Policy S1 and wording but for one minor clarification (see below). Focus on Chichester City is appropriate and welcome. Wide dispersal of allocations is testimony to Council's relentless exploration of opportunities throughout plan area. Following minor amendments the section titled 'Spatial Strategy' has been positive prepared, is fully justified, effective and consistent with the NPPF. As set out in monitoring section, distribution of new homes throughout plan area throughout duration of plan period will need to be assessed in line with development strategy and kept under review, so that if delivery departs from the spatial strategy, interventions can be made.

**Full text:**

See attachment.

**Change suggested by respondent:**

Bellway respectfully suggest that point 7 of draft Policy S1 requires clarification – as 'the above' is a little ambiguous and it is unclear whether this relates to the entire policy or the non-strategic provision. This requires clarification.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Support

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Landowner at Champions Farm, Wisborough Green [8136]

**Agent:** Southern Planning Practice (Alice Drew, Principal Planning Consultant) [8135]

**Summary:**

We are largely supportive of the Council's broad approach to providing sustainable development in the plan area over the plan period. Criterion 3 of Policy S1 sets out that where opportunities arise, new development will be provided to support the village and rural communities in the North of the plan area. We strongly support this approach to the provision of sustainable development and would like to highlight that the land at Champions Farm presents such an opportunity for development which would support and sustain the village of Wisborough Green.

**Full text:**

Summary

Southern Planning Practice Ltd are instructed by the landowner to submit representations to the Proposed Submission version of the Chichester Local Plan 2021- 2039, published in February 2023. Shorewood Homes, a local developer, have an interest in land at Champions Farm, Wisborough Green and are currently working collaboratively with the landowner.

The site is located to the south of Newpound Lane and to the north of Billingshurst Road (A272) in Wisborough Green. The site is located within the northern area of the district and is closely related to the main urban area of Billingshurst, which is located in the neighbouring authority Horsham District Council.

It is understood that the site has not been previously promoted through the Local Plan process. We can confirm on behalf of our client that the site is now available for development.

In order for the Proposed Submission Local Plan to meet the 'positively prepared' test of soundness as required by paragraph 35 a) of the National Planning Policy Framework (NPPF), the Local Plan Review must:

"provide (ing) a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development".

Whilst the constraints of the northern area of the district are appreciated, there are several sustainable sites, outside of the National Park and other constrained landscapes, which would assist Chichester to meet their identified housing needs. One such site is the land at Champions Farm in Wisborough Green. The western section of the site could be delivered in the short-medium term and the eastern section could be delivered in the longer term which would contribute to Chichester's future housing supply.

Any new residential development on land at Champions Farm would contribute to the achievement of the 7 strategic objectives of the Local Plan and would also help to boost the housing supply in the short-medium term.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Land at Champions Farm - Representations to CDC - <https://chichester.oc2.uk/a/sk7>

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** The Pick Family [8168]

**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]

**Summary:**

In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the Transport Study (2023) concludes that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that our clients do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

**Full text:**

These representations are made on behalf of our client, the Pick Family who wish to make representations with regards to the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version.

**Background**

The Pick Family are local landowners who live and farm in Birdham. They own approximately 15 acres of farmland to the west of Birdham which is edged blue on the plan at Enclosure 1. The land has been promoted at all relevant opportunities to Chichester District Council but they wish to confirm to Chichester District Council and the Inspector that the land is available for development should they consider Birdham as an area for growth.

**Site suitability**

Our client's have split their landholding previously, as they appreciate that development of the whole would increase the size of Birdham significantly. However, our client's front parcel, edged red at Enclosure 2, is well enclosed and views into the site from the AONB are limited. There is a significant hedgerow on its western boundary, screening any potential residential development in this parcel.

This portion of the landholding is approximately 1.05 hectares in size and it is our opinion that a development of 25 units could be achieved at this site. Due to the site constraints, the developer would have to ensure that the scheme is designed sensitively, taking into consideration the Area of Outstanding Natural Beauty. However, this is not considered to constrain development overall on the site and therefore, the site should be considered sustainable in taking account of the three dimensions for sustainability set out in the NPPF.

Due to our client having a wider landholding, if the Council or the Inspector felt it necessary to allocate the site, our client would be able to offset any nitrate or biodiversity impacts from the front parcel onto his retained land. This illustrates that the site is deliverable.

**Policy S1 & H1**

Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the Transport Study (2023) concludes that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that our clients do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

It is therefore our view that the figure of 535 should be seen as an absolute minimum and other land should be considered to be allocated.

We trust our comments will be considered as part of the Local Plan review, and please do not hesitate to make contact if you require anything further

**Change suggested by respondent:**

It is therefore our view that the figure of 535 should be seen as an absolute minimum and other land should be considered to be allocated

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Supporting Representations - <https://chichester.oc2.uk/a/smk>

Form H1 - <https://chichester.oc2.uk/a/smz>

Form S1 - <https://chichester.oc2.uk/a/smm>

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Mr & Mrs Bell [7354]

**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]

**Summary:**

The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

It is therefore our view that the figure of 535 should be seen as an absolute minimum and other land should be considered to be allocated.

**Full text:**

These representations are made on behalf of our client, the Bell Family who wish make representations to the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version.

**Background**

Our clients own approximately 37.8 acres of farmland to the west of Stoney Meadow which is edged red at Appendix 1. The land has been promoted at all relevant opportunities to Chichester District Council and North Mundham Parish Council but they wish to confirm to Chichester District Council and the Inspector that the land is available for development should they consider North Mundham as an area for growth.

**Site suitability**

The North Mundham Settlement Policy Boundary is being amended to now include the development at Oakdene Gardens and Stoney Meadow to the east. As mentioned, Henry Adams have promoted the land on behalf of the landowners at all opportunities and the most recent HELAA suggested that the land is developable for 225 units under ref. HNM0019 subject to further detail relating to access, drainage, landscape and archaeology.

The site is split into 3 distinct sections by tree belts, which enables phasing of the land should the whole of it not be developed. There is also defined landscape boundaries on all sides, restricting views into the site. The land has no significant natural constraints other than being in the Chichester and Pagham Harbours SPA buffer zones. To the east of the site on School Lane is a Grade II Listed Building and to the north east is an area of woodland, covered by a Tree Preservation Order (Local Planning Authority reference 70/00730/TPO).

**Policy S1 & H1**

Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the Transport Study (2023) concludes that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that our clients do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts. It is therefore our view that the figure of 535 should be seen as an absolute minimum and other land should be considered to be allocated.

**Change suggested by respondent:**

Allocate additional land.

Site submission - Land to the West of Stoney Meadow, North Mundham. 225 dwellings.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:**

**Object****Document Element:** Policy S1 Spatial Development Strategy**Respondent:** Metis Homes [1602]**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]**Summary:**

Land at Maudlin Farm not featured at Regulation 18 stage. SA stated Southbourne development unlikely to be deliverable in first 5 years. Planning Ref. SB/22/01283/FULEIA for 'Land at Harris Scrapyrd & Oaks Farm', would provide at least 50 dwellings in period to 2026 and 103 dwellings by 2027. Southern Water have confirmed suitable foul drainage can be accommodated. SA therefore incorrect as proposed development can provide early housing delivery as part of BLD. Loxwood also identified as SDL, results in less sustainable distribution of housing than if transport evidence had been properly applied. Loxwood is sequentially less sustainable than a number of other Service Villages in South.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>**Object****Document Element:** Policy S1 Spatial Development Strategy**Respondent:** Barratt David Wilson Homes [7523]**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]**Summary:**

Consider Plan are is capable of accommodating greater housing quantum. Council has failed to provide sufficient justification for not meeting housing need in full or considering unmet need form adjoining authorities. Council should consider allocation of additional housing sites to meet full or higher housing provision within plan area. Site promoted at Stubcroft Farm, East Wittering.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** No**Attachments:** Written Representation - <https://chichester.oc2.uk/a/syq>**Object****Document Element:** Policy S1 Spatial Development Strategy**Respondent:** Beechcroft Developments Limited [8188]**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]**Summary:**

An increased dwelling requirement could be accommodated without the need to significantly alter the proposed spatial strategy. Additional development could be accommodated at less constrained Service Villages in northern parts of Manhood Peninsula. Not all of Manhood Peninsula is affected by challenges. Hunston is relatively unconstrained compared to other parts of Manhood Peninsula. Hunston has good accessibility to road network. Additional development at Hunston would be consistent with Policy T1. Hunston has been, and continues to be, a sustainable location for new development. Previous work on emerging Local Plan and now withdrawn Neighbourhood Plan demonstrate that it is capable of delivering at least 200 homes during Plan period. Site promoted at Land at Hunston Village Dairy.

**Full text:**

See attachments.

**Change suggested by respondent:**

Make a strategic scale allocation as part of Policy H2; set a housing figure of at least 200 homes for Hunston in Policy H3 which could be delivered as part of Neighbourhood Plan process.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp5>Appendix 1 - Representations on Housing Requirement and Supply - <https://chichester.oc2.uk/a/sp6>Appendix 2 - Statement of Representations - A27 Mitigation Contributions - <https://chichester.oc2.uk/a/sp7>

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Policy confusing, does not state quantum of housing, employment or critical infrastructure required for each area or when development will come forward including need for Water Neutrality solution in North of Plan Area. First sentence: dispersing development inconsistent with principle of sustainable development and concept of place-making. Point 1: Does Plan make provision for unplanned sustainable growth or planned growth that is not sustainable? Point 2: Meaning unclear; Point 3: Why does Policy make out North of Plan Area villages should wait for opportunities to arise? Point 6: What is definition of small-scale housing? Define local community facilities and define (c); Point 7: In Kirdford, will all development be handled through NP? Final paragraph: does not actually state what the distribution of development is.

**Full text:**

See attachment.

**Change suggested by respondent:**

Clarify policy as be comments.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

**Document Element:** Policy S1 Spatial Development Strategy

**Respondent:** Libby Alexander [7023]

**Summary:**

Plan is considered unsound on basis that:

- AONBs and natural environment insufficiently protected;
- Insufficient consideration of threat of climate change and mitigations;
- Unrealistic housing targets;
- Lack of challenge of water companies regarding sewage discharges;
- Inadequate transport infrastructure

**Full text:**

The Conservative Government manifestoes have consistently mentioned the importance of protecting our protected areas. Repeated at the UK hosted Cop 26.

This is blatantly being ignored as our much protected AONB is downgraded and continues to cause concern. The protected Medmerry and Pagham nature reserves are also under huge stress.

The Government's NPPF mentions many times the need for 'sustainability'.

There is nothing 'sustainable' when local plans ignore the threat of climate change by continuing :

- To build along our threatened coastline.
- To build next to other developments thus causing flooding where none occurred before
- To build without solar panels nor electric car charge points.
- To build on green rich agricultural land.
- To build on known flood plains.

The policy to protect and enhance the natural environment has been overlooked and not acted upon as a result:

- Our chalk rivers are being over abstracted.
- Our wetlands and mudflats are being poisoned at an alarming rate
- Our wildlife numbers of most species are declining

Delivering suitable, well designed, energy efficient affordable housing has not, and will not be achieved until CDC accept their responsibilities.

- The housing numbers have not been sufficiently challenged.
- The number of affordable housing is not concomitant with the number of developments
- The lack of pressure on developers to produce other than uniform developments
- The lack of density and sensitivity to the cultural heritage that is Chichester.

Why should communities have any confidence in your statement of ensuring the timely delivery of key infrastructure when we have no decisions over:

- The lack of challenge to water companies over their constant discharging of raw sewage
- The growing congestion along the A259 as a result of all the developments
- The daily hazards of using Fishbourne roundabout
- The levels of air pollution at the A27 roundabouts
- The lack of decision over separating local road users from the strategic A27
- The levels of traffic to and from what is a dead end on the A286
- The granting of planning permission to the Whitehouse Farm development when a southern exit is still not decided.

There is very little to inspire confidence in the present make up of the CDC that they appreciate the need for countryside protection as an essential factor to maintaining a healthy natural environment for the benefit of us all or an understanding of what is required for nature protection. Neither is there any conviction that CDC have any sensitivity or comprehension of what the Government's mantra on building back beautiful really entails.

Depressingly the only conclusion is that the Local Plan is UNSOUND and all housing should be temporarily halted until such matters are in hand most especially the immoral and illegal continuous discharges of raw sewage into our AONB.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** External submission to Local Plan - <https://chichester.oc2.uk/a/spg>

**Object**

**Document Element:** Settlement Hierarchy, 3.30

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Simply no justification with any substance to explain of how the Council has arrived at the policy or hierarchy.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

**Support**

**Document Element:** Settlement Hierarchy, 3.31

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach. However, development in WG will neither enhance nor maintain the vitality of this rural community. WG cannot access services and facilities easily, and there is little choice in transport modes with residents essentially reliant upon a car; this reliance is amplified within volunteer services.

**Full text:**

WGPC supports this approach. However, development in WG will neither enhance nor maintain the vitality of this rural community. WG cannot access services and facilities easily, and there is little choice in transport modes with residents essentially reliant upon a car; this reliance is amplified within volunteer services.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object**

**Document Element:** Settlement Hierarchy, 3.31

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach. However, development in WG will neither enhance nor maintain the vitality of this rural community. WG cannot access services and facilities easily, and there is little choice in transport modes with residents essentially reliant upon a car; this reliance is amplified within volunteer services.

**Full text:**

WGPC supports this approach. However, development in WG will neither enhance nor maintain the vitality of this rural community. WG cannot access services and facilities easily, and there is little choice in transport modes with residents essentially reliant upon a car; this reliance is amplified within volunteer services.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object**

**Document Element:** Settlement Hierarchy, 3.32

**Respondent:** Elizabeth Lawrence Ltd (Mrs Elizabeth Lawrence, Planner) [906]

**Summary:**

Until the recent climate change flood risk maps are checked for accuracy it is disputed that East Wittering has more constraints than other settlements.

**Full text:**

Until the recent climate change flood risk maps are checked for accuracy it is disputed that East Wittering has more constraints than other settlements.

**Change suggested by respondent:**

The constraints of the settlements should be reassessed objectively, bearing in mind with more development East Wittering could be made one of the most sustainable settlements in the district, with less reliance on Chichester and the A27.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None



## Object

**Document Element:** Settlement Hierarchy, 3.35

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Neither Hambrook or Nutbourne have a range of everyday facilities which characterises a service village. There are no medical facilities, no recreation or sports ground, no convenience store. There is a small play park for under 10s, the Primary School is in Chidham, public transport is limited in frequency and regularity.

**Full text:**

Neither Hambrook or Nutbourne have a range of everyday facilities which characterises a service village. There are no medical facilities, no recreation or sports ground, no convenience store. There is a small play park for under 10s, the Primary School is in Chidham, public transport is limited in frequency and regularity.

**Change suggested by respondent:**

n/a

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Settlement Hierarchy, 3.35

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement but question WG's designation.

**Full text:**

WGPC supports this statement but question WG's designation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Settlement Hierarchy, 3.35

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement but question WG's designation.

**Full text:**

WGPC supports this statement but question WG's designation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Settlement Hierarchy, 3.35

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

In relation to Tangmere Hub, there exists today the following: 1x Convenience store; 2x Tangmere Primary schools; 1x Village hall /community centre; 1x Play area; 1x Medical facility; public transport - bus routes only/no train connection within 10 kilometres; Police x2 PCSO; fire services based in Chichester; nearest secondary school 5 miles away - 46 minutes by bus (2 buses) 14 minutes by car ,19 minutes by bicycle; no NHS dentist; one private dentist; allotments for 42 currently behind Tangmere Museum due to be moved to Saxon Meadow Church Lane Field under the plan.

Plan does not provide adequate planning for these basic infrastructure services and needs to double all of them as a minimum.

**Full text:**

In relation to Tangmere Hub

There exists today the following

1 x Convenience stores;

2x Tangmere Primary schools;

1x Village halls / community centres;

1x Play areas;

1x Medical facilities; and

Public transport - Bus routes only

No Train connection within 10 kilometres

Police x 2 PCSO

Fire services based in Chichester

Nearest Secondary school 5 miles away 46 minutes by bus (2 buses) 14 minutes by car ,19 minutes by bicycle.

No NHS dentist

One private Dentist

Allotments for 42 currently behind Tangmere Museum due to be moved to Saxon Meadow Church lane Field under the plan.

All too little for Plan.

**Change suggested by respondent:**

The plan does not provide for adequate planning for these basic infrastructure services and needs to double all of them as a minimum in line with the proposed doubling in size of the community within the proposed Tangmere Hub. The plan needs updating to recognise this omission.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Dr Carolyn Cobbold [6612]

**Summary:**

Support in principle

**Full text:**

East Wittering/Bracklesham should be downgraded to a service village as it has no schooling/training facilities beyond the age of 11, no access to a train station or the major road network and has lost all its major employers since the last local plan with few opportunities to attract large employers (other than those in the tourism sector) due to its poor access at the bottom of a peninsula

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Dr Carolyn Cobbold [6612]

**Summary:**

East Wittering/Bracklesham should be downgraded to a service village as it has no schooling/training facilities beyond the age of 11, no access to a train station or the major road network and has lost all its major employers since the last local plan with few opportunities to attract large employers (other than those in the tourism sector) due to its poor access at the bottom of a peninsula

**Full text:**

East Wittering/Bracklesham should be downgraded to a service village as it has no schooling/training facilities beyond the age of 11, no access to a train station or the major road network and has lost all its major employers since the last local plan with few opportunities to attract large employers (other than those in the tourism sector) due to its poor access at the bottom of a peninsula

**Change suggested by respondent:**

Downgrade East Wittering/Bracklesham to a service village

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

Many of the sites chosen in the local plan are outside of settlement boundaries which means the presumption in favour of sustainable development does not apply. This is the case with policy A11 where the whole development lies outside of the settlement boundary.

**Full text:**

Many of the sites chosen in the local plan are outside of settlement boundaries which means the presumption in favour of sustainable development does not apply. This is the case with policy A11 where the whole development lies outside of the settlement boundary.

**Change suggested by respondent:**

Policy A11 needs to be removed from the plan. Other sites outside of settlement boundaries should be reviewed and removed from the plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Bosham Settlement Boundary.docx - <https://chichester.oc2.uk/a/srr>

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Nutbourne and Hambrook do not have good access to local facilities and are therefore not the right locations for 300 houses.

**Full text:**

Nutbourne and Hambrook do not have good access to local facilities and are therefore not the right locations for 300 houses.

**Change suggested by respondent:**

Reduce the number of houses.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

The PC recognises the existing function of Southbourne Village as a Settlement Hub and supports the delineation of Settlement Boundaries as a means of directing development to sustainable locations which: respect the setting, form and character of the settlement; avoid actual or perceived coalescence of settlements; and ensure good access to local services and facilities. The PC agrees that development in the "Rest of the Plan Area" should be restricted as set out in Local Plan Policy S2 in order to reinforce the character and function of the built-up areas and prevent piecemeal development which fragments the countryside.

**Full text:**

The PC recognises the existing function of Southbourne Village as a Settlement Hub and supports the delineation of Settlement Boundaries as a means of directing development to sustainable locations which: respect the setting, form and character of the settlement; avoid actual or perceived coalescence of settlements; and ensure good access to local services and facilities. The PC agrees that development in the "Rest of the Plan Area" should be restricted as set out in Local Plan Policy S2 in order to reinforce the character and function of the built-up areas and prevent piecemeal development which fragments the countryside.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** sb1.png - <https://chichester.oc2.uk/a/ss7>  
NP3 SB1 EV1 Settlement Boundaries.pdf - <https://chichester.oc2.uk/a/ss8>

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

"Outside of the settlement boundaries" development in the rest of the plan is restricted to that which requires a countryside location. However, much of the proposed development has been allocated to locations outside the settlement boundaries where there is no evidence of an essential local rural need, whilst being in the countryside.

**Full text:**

"Outside of the settlement boundaries" development in the rest of the plan is restricted to that which requires a countryside location. However, much of the proposed development has been allocated to locations outside the settlement boundaries where there is no evidence of an essential local rural need, whilst being in the countryside.

**Change suggested by respondent:**

The scale of the development proposed should be reduced in order to reflect there is no longer a requirement to meet mandatory target numbers set by government. Some 80% if the district falls within CHONAB & SDNP landscape, which is protected against development, this suggests that CDC would be justified in further reducing the government allocated figure for housing by a proportionate amount.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Loxwood (Mellow) Ltd [7870]

**Agent:** Ms Megan Smith [7858]

**Summary:**

We seek to acknowledge the policy discussion on settlement boundaries, and support the presumption in favour of sustainable development within the settlement boundary of service villages.

However, we consider the Draft Local Plan to be 'ineffective' and 'unjustified' in this respect by giving the power to define the Settlement Boundaries to Neighbourhood Plans. The Draft Local Plan cannot be 'positively prepared' when suitable, available and achievable sites are left fragmented and overlooked by Parish Councils creating piecemeal plots outside of the settlement boundary for often unjustified reasons, the Neighbourhood Plan process being subject to lesser scrutiny (having only to meet basic conditions) than local plans.

**Full text:**

Please refer to the attached supporting document. Policy S2 is discussed on page 8.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** 7093 - PL-15A - Location Plan.pdf - <https://chichester.oc2.uk/a/sr9>  
Written representation letter - <https://chichester.oc2.uk/a/s3z>

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Redefine the service village criteria. Chidham and Hambrook should not be service villages.

**Full text:**

Chidham & Hambrook has been misrepresented as a service village. The criteria used is flawed. There is no convenience store, medical services, recreation ground, sports facilities unlike Fishbourne and Bosham. 300 houses is not moderate growth. It increases the population by 30% there are minimal existing facilities to expand and there is no provision in this plan for increased public transport options. Its just left to the private sector to provide, a sector whose aim is to make a profit. There is no bus service north to south and the east/west bus service has been cut to 2 an hour.

**Change suggested by respondent:**

Redefine the service village criteria.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Domusea [1816]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that Plaistow & Ifold has been properly identified as a service village in the settlement hierarchy.

**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have

been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. The Regulation 19 Plan is not legally compliant as it has not been reviewed within 5 years of the last Plan adopted in July 2015. It is also disappointing that the failure of the current Regulation 19 Local Plan to meet objectively assessed need (OAN) of 638 dpa outside the national park has not been properly evidenced in any up to date statement of common ground with neighbouring authorities with regards to the ‘duty to cooperate’.

At this stage we believe the Plan as drafted therefore fails the positively prepared, effective, and consistent with national planning policy tests.

#### Duty to Cooperate

The 2014-2029 Local Plan adopted in 2015 does not meet the full objectively assessed housing needs for the area. But it did recognise that future proposals to improve the capacity of the A27 and wastewater treatment works could facilitate additional housing growth. For this reason, it committed the Council to a review of the Plan within five years to ensure that housing needs could be met. That undertaking to review within 5 years was not met.

In 2021 the Council invited an advisory visit from PINS to advise on how the present Local Plan should be prepared. The inspector advised that if the Plan was prepared which did not meet the full housing needs of the area, it would have to show that it had followed the duty to co-operate with neighbouring authorities in maximising the effectiveness of plan preparation.

The inspector said the Duty to Cooperate was therefore critical in the preparation of the Local Plan Review. At the time of the meeting, the council said discussions with neighbouring authorities had been carried out on the basis that the Local Plan Review would meet the full objectively assessed housing needs (OAN) for the area. However if this was not the case, the inspector said evidence of constructive, active, and on-going engagement to determine whether or not development needs could be met elsewhere would need to be shown. Importantly, the inspector said, 1) ‘a failure to meet the Duty to Cooperate cannot be remedied during the examination process because it applies to the preparation of the Plan, which ends upon submission’, and 2) local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before submitting plans for examination.

The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. In the event, the Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted. Appendix 1 of the Statement of Compliance lists those authorities that were consulted during the earlier Regulation 18 Preferred Approach consultation. Appendix 2 lists those authorities where Statements of Common Ground have been agreed with Chichester DC for the Regulation Submission 19 Plan. No statements have produced or agreed. Therefore as it stands the under provision of housing against OAN in the Plan has not been justified. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy in the NPPF paragraph 24-27 which advises on the duty to cooperate approach.

#### Local Plan Policies

The remainder of these comments deal with the proposed Settlement Hierarchy - policy S2, policy H1 – Meeting Housing Need, Non-Strategic Housing Sites – Policy H3 and T1 Transport Infrastructure.

##### Policy S2 – Settlement Hierarchy

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that Plaistow & Ifold has been properly identified as a service village in the settlement hierarchy.

##### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

We note from policy H1 that the components of housing supply include outstanding housing commitments without planning permission from the 2015 adopted Local Plan, the Site Allocations DPD, and ‘made’ Neighbourhood Plans.

However, it is unclear how the above housing supply components have been calculated and how they have translated into the strategic and non-strategic allocations in policies H2 and H3.

In the case of Plaistow and Ifold, the last adopted 2015 Local Plan identified the settlement with an allocation of 10 dwellings. The subsequent Site Allocation DPD identified land north of Little Springfield Farm for 10 no. units. A Neighbourhood Plan for Plaistow and Ifold was produced but was withdrawn and no site allocations were confirmed. The allocated site north of Little Springfield Farm remains undeveloped.

With specific reference to Plaistow & Ifold we would therefore query whether 1) the existing housing commitments without planning permission in the 2015 Local Plan and the Site Allocations DPD have been double counted, and 2) whether the non-implementation of the 10 units from the 2015 Local Plan have been ring fenced to count against the new proposed allocation of 25 dwellings at the settlement? In which case, we would question why a further 15 dwellings are only proposed at a service village in the hierarchy compared to other service villages in the NE part of the district which are proposed for higher levels of development (Loxwood 220 dwellings, Kirdford 50 dwellings and Wisborough Green 75 dwellings).

If the 25 dwelling allocation at Plaistow & Ifold is intended to be additional to the 10 units identified in the last 2015 Local Plan, then the allocation should be increased to 35 dwellings as a minimum to reflect the non-implementation of the 2015 allocation.

##### Policy H3 – Non-Strategic Parish Allocations

Policy H3 identifies non-strategic parish allocations. We have explained above our queries with the 25 dwelling allocation to Plaistow & Ifold, whether it has allowed for the non-implementation of the 10 units in the last 2015 Plan and why it compares so unfavourably with much higher levels of development for the other service villages in the NE part of the district.

We would also query why the options outlined in the PINS advisory visit of 2021 have not been more thoroughly tested for increased housing provision in the north part of the district to increase the supply of housing to meet OAN. There is no updated Settlement Hierarchy background paper, and the

revised housing distribution has not been justified anywhere in the evidence base for the Regulation 19 Local Plan.

#### Policy T1 – Transport Infrastructure

The policy objectives to ensure new development is well located and designed to avoid or minimise the need for travel and encourage the use of sustainable modes of travel as an alternative to the private car are supported. However, the proposed contribution of £7.7k per dwelling towards A27 highway improvements applies to new housing across the district even in the NE part of the district where impacts from development on the A27 will be less than developments in the south of the district.

In any event it is unclear how the contributions are justified when the responsibility for trunk road infrastructure improvements rests with National Highways.

The proposed contribution in T1 is therefore questioned and in our view, flawed. The level of contribution set out in the policy and the principle of a contribution will therefore require further testing at the forthcoming Examination.

#### Change suggested by respondent:

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Domusea Reg 19 - <https://chichester.oc2.uk/a/sf5>

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Berkeley Strategic Group (Mr Charlie Rollet-Manus) [7916]

#### Summary:

Berkeley supports the Spatial Strategy, which seeks to focus a majority of growth at Chichester City given its status as the largest settlement and most sustainable location for development in the district, and its identification as a Sub-Regional Centre at the top of settlement hierarchy.

#### Full text:

Policy S2 demonstrates that Chichester City is the largest and most sustainable settlement in the district and is the only settlement in the Sub-Regional Centre tier. Berkeley therefore supports the approach that the majority of growth should be focussed around Chichester City, given its capacity for development.

Berkeley supports the purpose of the settlement hierarchy, to guide the location of development to the most sustainable locations. The majority of new housing should be located at settlements that sit at the top of the settlement hierarchy, such as Chichester City, given they provide the most sustainable locations for growth and thus enable easy access to jobs and facilities without the need to travel long distances.

Chichester City is the largest settlement in the district and Berkeley therefore supports its placement in its own category at the top of the settlement hierarchy.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Greenwood Group Ltd [7406]

**Agent:** Smith Simmons Partners (Paul White) [7650]

#### Summary:

The Settlement Hierarchy background paper was prepared for the last Preferred Options Local Plan in Dec 2018. It has not been updated for the Submission Plan but provides justification for the hierarchy in Policy S2 of the Local Plan. It forms the basis for the proposed distribution of growth by distinguishing between those settlements considered to be the most sustainable having the best range of facilities and accessibility from those with the least. Most development is focused on the former and development to meet local needs or no development whatsoever on the latter. Paragraph 4.8 of the background paper includes Sidlesham in the 'rest of the plan area' least suited for development because it does 'not contain the range of facilities and services to be classified as sustainable'.

We believe Sidlesham should be re-categorised as a service village and allocated for a modest amount of development. This would support its existing facilities and the settlement hubs of Selsey and West Wittering. A modest amount of development need not lead to critical impacts on the A27 as travel impacts would not necessarily be attracted towards Chichester.

**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Our comments concern the Sustainability Appraisal for the Local Plan and the following policies in connection with Sidlesham: S2 - Settlement Hierarchy and Parish Housing Sites - H3. In our view, Sidlesham should be re classified as a service village in the hierarchy and allocated a modest level of development. This would improve the overall plan in terms of its performance against the 'justified' test of soundness.

**Sustainability Appraisal (SA)**

This forms part of the evidence base for the Local Plan Review. It has updated the SA prepared for the last Preferred Approach 2018 Local Plan. We note from paragraph 5.2.11 of the updated SA that the southern part of the plan area (i.e. the east west corridor and the Manhood Peninsula) is highly constrained by capacity on the A27. Detailed discussions with National Highways and WSCC, over the course of 2019-2022, have led to a resolution that there is capacity for no more than 535 dpa in this area (with a further 40 dpa in the north part of the District outside the National Park). This contrasts with the actual housing need for the area of 638dpa.

The figure of 535dpa has now been adopted for the submission Local Plan in the southern part of the plan area with no standard 10% supply buffer.

Under providing against OAN will be a matter for discussion at Examination but even accepting the 535dpa can be justified in the south part of the district we still have concerns about the housing distribution for the manhood peninsula. For instance, in order to avoid traffic impact issues on the A27, paragraph 5.2.23 of SA says this would need avoid or minimise growth on the Manhood Peninsula and weight growth to the west of Chichester. Paragraph 5.2.29 also states that growth should be limited on the peninsula because of the need to cross or join the problematic Stockbridge and Whyke A27 junctions which is an issue for private car travel and bus connectivity.

We disagree with this analysis however. 1) it does not explain why development to west of Chichester will not cause the same impacts of having to cross the A27 as suggested will occur for the peninsula; and 2) it assumes the direction of travel will always be towards Chichester. However development on the peninsula could help support local facilities already present in the area and looking in the other direction, could help support the vitality of Selsey and East Wittering as settlement hubs. 3) Development could also help the local economy on the peninsula and introduce a younger profile to the area which the SA notes has a very significant older age structure (33% of those living on the Manhood Peninsula are aged 65+).

The table B in the SA lists the developable 2021 HELAA sites (Housing and Economic Land Availability Assessment). It includes Site Ref HSI0004 at Sidlesham on page 86. Across a range of performance indicators the site scores 13 green, 4 light green, and 3 red points. Red indicates a significant negative effect; light green a positive; and green a significant positive effect.

Despite the very positive scoring of the site, it has been completely overlooked for any development because of the ranking of Sidlesham as within the 'rest of the plan area' category.

**Policy S2 – Settlement Hierarchy**

The Settlement Hierarchy background paper was prepared for the last Preferred Options Local Plan in Dec 2018. It has not been updated for the Submission Plan but provides justification for the hierarchy in Policy S2 of the Local Plan. It forms the basis for the proposed distribution of growth by distinguishing between those settlements considered to be the most sustainable having the best range of facilities and accessibility from those with the least. Most development is focused on the former and development to meet local needs or no development whatsoever on the latter. Paragraph 4.8 of the background paper includes Sidlesham in the 'rest of the plan area' least suited for development because it does 'not contain the range of facilities and services to be classified as sustainable'.

We therefore disagree with this classification and believe Sidlesham should be included as a 'service village in the hierarchy based on its population and range of available facilities.

The Councils own Settlement Capacity Profile 2013 shows Sidlesham with a population of over 1,100. This historic population is more than Boxgrove, Kirdford and Westhampnett which are all service villages in Policy 2 of this draft Local Plan.

Sidlesham has 4 employment areas at Enbourne Business Park, Walnut Tree Science Park Locks Lane, Jury Lane and the Horticultural Development Area. Community facilities include a petrol filling station with convenience store and off licence, church, recreation ground and football field with licensed bar and hall, primary school with sports hall available for wider community use, 2 other pubs (one a 'gastro pub' at Sidlesham Quay). Access to bus services are available from the B2145, 1 regular daytime bus service (51) linking to Chichester & Selsey (Most frequent daytime service, every 15 minutes). A more irregular daytime bus service (150) is on Mondays, Wednesdays and Fridays (3 daytime services in each direction).

Based on this range of facilities we therefore believe Sidlesham should be re-categorised as a service village and allocated for a modest amount of development. This would support its existing facilities and the settlement hubs of Selsey and West Wittering. A modest amount of development need not lead to critical impacts on the A27 as travel impacts would not necessarily be attracted towards Chichester.

**Policy H3 – Parish housing Sites**

We have already explained our reasons why Sidlesham should be included as a 'service village' in the hierarchy in connection with S2. Based on this revision to the hierarchy, it follows that some housing should be directed to Sidlesham. We believe a parish allocation of the order of 35-70 dwellings would be justified.

Assuming this is accepted we would point out that the 2021 HELAA Site Ref HSI0004 referred to above is still available at Greenwood Nursery Highleigh Road Sidlesham. The Council said the site was deliverable and had an identified capacity of around 35-67 dwellings. A draft layout plan is attached showing a 35 dwelling scheme. The site is outside the designated horticultural development area, within flood zone 1 (least liable to flood) and has no biodiversity or heritage interest. It is located outside the Chichester Harbour Area of Outstanding Natural Beauty. It has a footpath link to the nearby school.

The proposal would generate fewer trips (and no HGV's) compared to the existing nursery business.

**Change suggested by respondent:**

Sidlesham should be included as a 'service village' in the settlement hierarchy of S2. The description of Sidlesham should recognise that this includes Highleigh.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

Attachments: Greenwood Reg 19 - <https://chichester.oc2.uk/a/sf6>  
Greenwood Plan - <https://chichester.oc2.uk/a/sf7>

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Hanbury Properties [1697]

**Agent:** Smith Simmons Partners (Paul White) [7650]

### Summary:

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

### Full text:

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. The Regulation 19 Plan is not legally compliant as it has not been reviewed within 5 years of the last Plan adopted in July 2015. It is also disappointing that the failure of the current Regulation 19 Local Plan to meet objectively assessed need (OAN) of 638 dpa outside the national park has not been properly evidenced in any up to date statement of common ground with neighbouring authorities with regards to the 'duty to cooperate'.

At this stage we believe the Plan as drafted therefore fails the 'positively prepared', 'effective', and 'consistent with national policy' tests.

In addition, with regard to the longer term growth requirements and the singular issue of a potential new settlement the plan also fails the 'justified' and 'consistent with national policy' tests of soundness.

#### Duty to Cooperate

The 2014-2029 Local Plan adopted in 2015 does not meet the full objectively assessed housing needs for the area. But it did recognise that future proposals to improve the capacity of the A27 and wastewater treatment works could facilitate additional housing growth. For this reason, it committed the Council to a review of the Plan within five years to ensure that housing needs could be met. That undertaking to review within 5 years was not met.

In 2021 the Council invited an advisory visit from PINS to advise on how the present Local Plan should be prepared. The inspector advised that if the Plan was prepared which did not meet the full housing needs of the area, it would have to show that it had followed the duty to co-operate with neighbouring authorities in maximising the effectiveness of plan preparation.

The inspector said the Duty to Cooperate was therefore critical in the preparation of the Local Plan Review. At the time of the meeting, the council said discussions with neighbouring authorities had been carried out on the basis that the Local Plan Review would meet the full objectively assessed housing needs (OAN) for the area. However if this was not the case, the inspector said evidence of constructive, active, and on-going engagement to determine whether or not development needs could be met elsewhere would need to be shown. Importantly, the inspector said, 1) 'a failure to meet the Duty to Cooperate cannot be remedied during the examination process because it applies to the preparation of the Plan, which ends upon submission', and 2) local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before submitting plans for examination.

The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. In the event, the Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted. Appendix 1 of the Statement of Compliance lists those authorities that were consulted during the earlier Regulation 18 Preferred Approach consultation. Appendix 2 lists those authorities where Statements of Common Ground have been agreed with Chichester DC for the Regulation Submission 19 Plan. No statements have produced or agreed. Therefore as it stands the under provision of housing against OAN in the Plan has not been justified. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy in the NPPF paragraph 24-27 which advises on the duty to cooperate approach.

#### Local Plan Policies

The remainder of these comments deal with the Settlement Hierarchy policy S2, H1, H2 H3 and H8.

#### Policy S2 – Settlement Hierarchy

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

#### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

Policy H2 – Strategic Site Allocations and Policy H3 – Non-Strategic Parish Allocations



Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

#### Policy H8 – Specialist accommodation for Older People

National policy in the online planning practice guidance (PPG) is clear that the need to provide housing for older people is critical. The guidance on the provision of this type of housing states:

- Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require.
- They could provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.
- It includes the following within the general definition of specialist housing - age-restricted general market housing, retirement living or sheltered housing, extra care housing or housing-with-care, residential care homes and nursing homes, and senior co-housing communities.
- LPA's can identify sites for co-housing communities and other specialist housing types for older people, because,
- Allocating sites can provide greater certainty for developers and encourage the provision of sites in suitable locations. This may be appropriate where there is an identified unmet need for specialist housing. The location of housing is a key consideration for older people who may be considering whether to move (including moving to more suitable forms of accommodation).

Factors to consider include the proximity of sites to good public transport, local amenities, health services and town centres.

In our view however, draft Policy H8 doesn't reflect the guidance in the PPG. For instance, although the policy sets out a threshold of provision for specialist housing of housing sites of 200 or more units, there is no guidance on the actual % provision as there is for example, on affordable housing. All it says is the specific type and amount of accommodation required will depend on the size and location of the site.

The supply of specialist housing should not just be focused on large scale housing schemes. The landscape and environmental constraints across the district even outside the national park would not necessarily allow for large 200 plus unit schemes in all locations. To support an ageing population policy should support the provision of suitable specialist housing to meet the differing needs of individuals across a range of options and in a range of locations.

The second part of H8 should therefore confirm that proposals for specialist housing, such as homes for older people will be supported without any policy qualification for a site's location within or outside a settlement boundary or within an AONB where a proposal in its local context is not deemed to represent major development.

Rather than rely on the criteria based approach, the policy should also allow for the allocation of sites for specialist accommodation for older people in a Neighbourhood Plan where a site has the support of local people.

#### Change suggested by respondent:

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Hanbury Reg 19 - <https://chichester.oc2.uk/a/sf8>

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Northgate Properties Ltd [8108]

**Agent:** Smith Simmons Partners (Paul White) [7650]

#### Summary:

We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

#### Full text:

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. A question could be raised over the legality of the Regulation 19 Plan as it has not been reviewed within 5 years of the last Plan, which was adopted in July 2015. On the Council's own admission the current Regulation 19 Local Plan fails to meet objectively assessed need (OAN) of 638 dpa outside the national park. However, without any properly evidenced 'duty to cooperate' statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

We support the local authority in its attempts to navigate what is a challenging situation in relation to housing delivery within the district, however at this stage we believe the Plan, as drafted, fails to meet the 'positively prepared', 'effective', and 'consistent with national policy' tests and therefore could be interpreted as unsound.

In a bid to assist the process, we have collated our thoughts on how the Regulation 19 Local Plan could be improved below.

#### Local Plan Policies

These comments deal with the proposed Spatial Strategy (Policy S1) Settlement Hierarchy (S2), policies H1, H2 H3 and NE4. We also propose a new policy H4.

#### Policy S1- Spatial Strategy

Policy S1 deals with the spatial strategy of the plan. It has been informed by the role of each settlement within a hierarchy based on its facilities and services.

We agree that the spatial strategy for delivering growth and development should focus on Chichester

city as the main sub-regional centre and most sustainable location with a wide range of services and facilities. However, there are self-evident constraints to further strategic scale development at the settlement itself because of its historic setting, the A27 to the south and east, the harbour AONB to the west and the national park in the north. Focusing growth close to the city would however still reinforce its role as a sub-regional centre and locating a significant proportion of development in or around Chichester city ahead of the second tier settlement hubs would reduce the need to travel to facilities and deliver sustainable development.

#### Policy S2 – Settlement Hierarchy

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

#### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

As indicated earlier, without any properly evidenced 'duty to cooperate' statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

#### Policy H2 – Strategic Site Allocations and Policy H3 – Non-Strategic Parish Allocations

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

#### Longer Term Growth Requirements

Paragraph 22 of the NPPF says strategic policies should look ahead over a minimum 15-year period from the date of the adoption of a plan to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. This justifies the proposed end date of the Plan of 2039. However, the NPPF goes on to state that where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.

Paragraphs 5.11-5.14 of the draft Plan says although its focus is on the development needs of the plan area up to 2039, some initial consideration has been given to the concept of a new settlement to accommodate potential longer term growth needs. This arises from some reservations about whether it will be appropriate in the longer term to continue to rely on existing sources of supply (e.g. urban extensions and urban intensification).

We agree that a new settlement would have a valuable role to play in meeting future housing need of the district and support the lower-case policy text of the Plan at paragraphs 5.11-14. However, bearing in mind the national policy guidance for a 30 year or so vision to allow for the planning and site identification for a new settlement, we see no reason why that part of the lower-case text at paragraph 5.14 of the Regulation 19 Plan should not be elevated into actual Plan policy. Such an approach would deliver benefits to the plan anyway in offering a 'land supply reserve' in the event the Examiner for the Local Plan finds that it should meet OAN in accordance with the 'positively prepared' test. If a new settlement is needed to contribute to OAN, it would then form part of the development strategy of the Plan and justify the policy in principle.

We therefore propose a new Policy H4 – A New Settlement as set out in section 6 below.

#### Policy NE4 – Strategic Wildlife Corridors

The Council produced a Strategic Wildlife Corridor background paper in December 2018 and another technical consultation document in July 2021. Neither document has been updated for the present Regulation 19 Local Plan. It is unclear therefore whether the ecological interest has changed and whether it can still inform the extent and location of the defined wildlife corridors in the current Plan. We say this on the basis that standard habitat surveys are usually required to be reviewed and updated after 18 months.

Paragraph 179(a) of the NPPF sets out policy to protect and enhance biodiversity and geodiversity and states that Plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national, and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them.

We therefore agree that the identification of wildlife corridors in the emerging Plan is consistent with national policy but without any up to date proportionate evidence of biodiversity interest we would question whether their extent and location as shown on the relevant proposals maps have been justified.

As it stands, the wording of Policy NE4 also goes beyond the purpose of the policy which is the 'safeguarding of wildlife rich habitats and wider ecological networks'.

Policy NE4 states development will only be permitted where it would not lead to an adverse effect upon the ecological value, function, integrity, and connectivity of the strategic wildlife corridors. It does not resist development in principle and so long as impacts can be adequately mitigated it should be granted.

This policy principle therefore makes redundant policy test 1 which introduces a sequential test for preferable sites outside a corridor. The test is in conflict with the underlying purpose of the policy which is to safeguard wildlife corridors from adverse harmful impacts that cannot be mitigated. Test 1 should therefore be deleted.

Development outside or in close proximity to a wildlife corridor should not be subject to the policy requirements of NE4 either and the designation should end at its boundary. 'Close proximity' is vague and would introduce uncertainty to the policy. If development does not undermine the connectivity and ecological value of the corridor, then there is no proper basis for the policy restriction on such development. We therefore propose the deletion of the second part of the policy as well.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Northgate Final - <https://chichester.oc2.uk/a/sf9>

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Mr David Lock and Ms Melanie Jenkins [7930]

**Agent:** Mr Jonathan Lambert [7926]

**Summary:**

Berkeley supports the Spatial Strategy, which seeks to focus a majority of growth at Chichester City given its status as the largest settlement and most sustainable location for development in the district, and its identification as a Sub-Regional Centre at the top of settlement hierarchy.

**Full text:**

Policy S2 demonstrates that Chichester City is the largest and most sustainable settlement in the district and is the only settlement in the Sub-Regional Centre tier. Berkeley therefore supports the approach that the majority of growth should be focussed around Chichester City, given its capacity for development.

Berkeley supports the purpose of the settlement hierarchy, to guide the location of development to the most sustainable locations. The majority of new housing should be located at settlements that sit at the top of the settlement hierarchy, such as Chichester City, given they provide the most sustainable locations for growth and thus enable easy access to jobs and facilities without the need to travel long distances.

Chichester City is the largest settlement in the district and Berkeley therefore supports its placement in its own category at the top of the settlement hierarchy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement but questions WG's designation as a Service Village. WGPC supports the policy relating to Settlement Boundaries.

**Full text:**

WGPC supports this statement but questions WG's designation as a Service Village. WGPC supports the policy relating to Settlement Boundaries.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement but questions WG's designation as a Service Village. WGPC supports the policy relating to Settlement Boundaries.

**Full text:**

WGPC supports this statement but questions WG's designation as a Service Village. WGPC supports the policy relating to Settlement Boundaries.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Premier believes that Chichester Marina should be considered as being part of Birdham service village, or its own service village, in recognition of the 50 residential dwellings comprising 31 houseboats and 1,750 sq m of floorspace at the Site.

The opportunity to provide sustainable residential development on the Site is important to the long term future of Chichester Marina.

**Full text:**

Chichester Marina has an existing thriving residential community, economic community and leisure/tourism visitors which all meet to generate a genuinely mixed, balanced and sustainable community around the marina and canal.

As such and as set out in our last Regulation 18 representations, Premier believes that Chichester Marina should be considered as being part of Birdham service village, or its own service village, in recognition of the 50 residential dwellings comprising 31 houseboats and 1,750 sq m of floorspace at the Site.

The opportunity to provide sustainable residential development on the Site is important to the long term future of Chichester Marina, specifically its vitality and viability and to the local community. It is important in policy terms, that the Marina is able to provide suitable further sustainable development, considering the strategic housing and economic needs of the Local Plan. Residential uses also contributes significantly to the overall diversity and sustainability of the marinas economy and will complement the mixed commercial marine, non-marine and leisure uses on-site. Simply restricting development to local needs is unlikely to ensure the long-term strategic growth that the Marina is capable of contributing towards the Local Plan.

**Change suggested by respondent:**

Include Chichester Marina as part of Birdham Service Village, or its own service village.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sfv>

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle.

**Full text:**

Chichester Marina has an existing thriving residential community, economic community and leisure/tourism visitors which all meet to generate a genuinely mixed, balanced and sustainable community around the marina and canal.

As such and as set out in our last Regulation 18 representations, Premier believes that Chichester Marina should be considered as being part of Birdham service village, or its own service village, in recognition of the 50 residential dwellings comprising 31 houseboats and 1,750 sq m of floorspace at the Site.

The opportunity to provide sustainable residential development on the Site is important to the long term future of Chichester Marina, specifically its vitality and viability and to the local community. It is important in policy terms, that the Marina is able to provide suitable further sustainable development, considering the strategic housing and economic needs of the Local Plan. Residential uses also contributes significantly to the overall diversity and sustainability of the marinas economy and will complement the mixed commercial marine, non-marine and leisure uses on-site. Simply restricting development to local needs is unlikely to ensure the long-term strategic growth that the Marina is capable of contributing towards the Local Plan.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sfv>

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Hallam Land Management Limited [1696]

**Agent:** LRM Planning Ltd (Miss Kate Coventry, Senior Planner) [6627]

**Summary:**

This strategic policy is positively prepared and justified, and is consistent with national policy promoting sustainable patterns of development.

**Full text:**

1 Introduction

1.1 These Representations have been prepared on behalf of Hallam Land Management Limited (hereafter 'Hallam'), in response to the Chichester Local Plan Review Proposed Submission Plan consultation.

1.2 Hallam is a strategic land promotion company operating throughout England, Wales and Scotland delivering land for new employment and commercial premises, housing, including specialist elderly housing, and mixed-use developments. Hallam has been acquiring, promoting, developing and trading in land since 1990. During that time, the company has established an outstanding record in resolving complex planning and associated technical problems in order to secure planning permissions for a whole range of different land uses to facilitate the delivery of new development.

1.3 Hallam control land to the west of Southbourne, to the north of the A259 and south of the railway line. Development of this land for new housing including specialist elderly accommodation, as shown in the accompanying Vision Document, would be consistent with the established Spatial Strategy; which is rightly retained in the consultation document. Similarly, development would contribute towards meeting the future housing needs of the District within the proposed Broad Location for Development (BLD) at Southbourne.

1.4 These Representations set out our support for the BLD drawn on the key diagram to the west and east of Southbourne. However, Hallam are seeking amendments to Policies S1, H1, H2, H8 and A13 to ensure that: the overall housing needs are met across the District, including early delivery and specialist accommodation; the flexibility sought early in the Submission Plan, at Policy S2 and H1, is carried through to the strategic allocations and locations; and, the BLD is distributed to the west and east of Southbourne.

1.5 Moreover, Hallam are proposing the allocation of small and medium scale sites at Southbourne within the Local Plan, to enable early delivery of housing and infrastructure, with the land under their control a suitable site for this allocation. Should the Council not allocate these sites, then the strategic allocations/locations policies need to be updated to reflect the requirement for the delivery of small and medium scale parcels which could form part of the larger sites.

1.6 In the context of the above, it is instructive to note that Chichester District has an older population than national average, which has been predicted to increase by 42% between 2021- 2039. The increasing need for specialist accommodation should be addressed through specific allocations within the Local Plan, rather than the proposed approach of Policy H8.

1.7 Our response is focused on the following matters:

- The Spatial Strategy, settlement hierarchy and the distribution of development across the District;
- The overall amount of new housing required within the new plan period;
- The need for specialist accommodation;
- The status of Southbourne and the role and function it plays; and
- The strategic allocation proposed at Southbourne in Policy AL13.

1.8 In preparing the Local Plan Review, the Council will need to ensure that it complies with paragraph 35 of the National Planning Policy Framework (NPPF) (2021) which sets out four tests to ensure the plan is 'sound'. These are as follows:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet needs from neighbouring areas are accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross- boundary strategic matters that have been dealt with rather than deferred, as evidenced by statements of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.9 We are mindful that the Government has recently published a consultation concerning potential amendments to the NPPF. Paragraph 1 of that consultation document indicates that the government is committed to "building more homes" whilst Paragraph 6 explains that the government "remains committed to delivering 300,000 homes a year by the mid-2020s".

1.10 In the proposed revisions, paragraph 1 makes clear that the NPPF provides "a framework within which locally-prepared plans can provide for sufficient housing and other development in a sustainable manner." At paragraph 60 the overall aim of a Local Plan is identified as meet[ing] as much housing need as possible with an appropriate mix of housing types to meet the needs of communities.

1.11 It is clear therefore that the potential amendments to the NPPF firmly intend that Local Plans, including this one, continue to provide a sufficient supply of housing land to meet identified needs.

## 2 Objectives and Spatial Strategy

### Objectives of the Local Plan

2.1 The Submission Plan has identified key challenges and opportunities that influence future planning, across the three areas of the District, and how it aims to address these through planning policies and proposals.

2.2 Within the consultation document, the strategic objectives presented by the Council are structured into specific categories, ensuring housing and neighbourhood objectives are clearly set out for the plan period.

2.3 Amongst these is the objective to increase housing supply; increase provision of affordable housing; and promote the development of mixed, balanced and well-integrated communities. These are consistent with the NPPF's policy objective to significantly boost the supply of housing in paragraph 60. In this context, it is right that the Local Plan's development strategy is founded on this objective, ensuring sustainable development which responds to social, economic and environmental considerations that meets the needs of the plan area.

2.4 These objectives frame the policies and proposals for future development across the plan area to create sustainable neighbourhoods; this demonstrates, as a matter of principle, that the Local Plan intends to be positively prepared and justified, albeit there are limitations on how this is achieved in practice when the policies and proposals are considered.

2.5 The NPPF states at paragraph 22 that strategic policies should look ahead over a minimum 15 year period from the date of the Plan's adoption. The Local Plan aims to cover the period of 2021- 2039, which is 18 years. However, this plan has not been adopted yet and it is considered unlikely that this Local Plan will be adopted before 2024-25. Therefore, the Plan may not cover the required plan period of 15 years and the Council should extend the plan period to at least 2040 to ensure this requirement is met.

### Policy S1: Spatial Strategy

2.6 The Spatial Strategy is accompanied by the Key Diagram (Map 3.1), identifying the distribution of development and infrastructure provision across the plan area.

2.7 The strategy aims to build on the existing Local Plan, focusing growth at Chichester city, as the main sub-regional centre, and at two settlement hubs along the east-west corridor at Tangmere and Southbourne.

2.8 Policy S1 specifically identifies the broad approach to providing sustainable development, in accordance with the Local Plan Objectives, ensuring development is focused principally along the east-west corridor. It aims to distribute development in line with the settlement hierarchy, ensuring development is located in the larger and more sustainable settlements.

2.9 This accords with paragraph 20 of the NPPF which requires strategic policies to set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for housing, infrastructure, community facilities along with policies that seek to conserve and enhance the environment.

2.10 Paragraph 105 of the NPPF states that the planning system should actively manage patterns of growth in support of these objectives. With significant development being focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

2.11 Paragraph 69 of the NPPF sets out how small and medium scale sites can make an important contribution to meeting the housing requirement. Part d) identifies how working with developers to encourage the sub division of large sites could help to speed up the delivery of homes.

2.12 In this context, Policy S1 (6) outlines how non-strategic provision is made for small scale housing developments consistent with the indicative housing numbers set out in Policy H3, however this does not identify an approach to medium scale sites. Consequently, the Local Plan should allocate small and medium scale sites for residential development.

2.13 Should the Local Plan not allocate these scale sites, then there should be parcels within the BLDs identified as medium scale sites for early delivery in the plan period without prejudicing the BLDs. Policy S1 should be amended to include medium scale sites and to require flexibility to the housing target. This is discussed further in respect of Policy A13.

2.14 Policy S1 (7) states that strategic allocations and locations will be made through either this emerging Local Plan, the extant Site Allocation Development Plan 2014-2019 (or subsequent Site Allocation Development Plan Document (DPD)) and through Neighbourhood Plans. Notwithstanding the allocations in the emerging Local Plan, the most appropriate future mechanism is the Site Allocations DPD, which has to meet the 'tests of soundness' rather than 'basic conditions'. This more rigorous approach to plan making is better able to address the site selection process and assessment of delivery requirements that a strategic allocation will need to demonstrate, particularly when taking account of the scale of growth proposed at Southbourne.

2.15 Lastly, the final paragraph of Policy S1 states that to ensure that the Plan's housing requirement is delivered, "the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in accordance with this Strategy". The wording of this should be amended to state flexibility will be needed rather than may be needed, to ensure there is the ability to mitigate delays on allocations being brought forward by alternative proposals in order to meet the housing requirement over the plan period.

2.16 The use of the Authority Monitoring Report to control this is considered an acceptable approach, and policies A6 to A15 should reflect this requirement for flexibility. In practical terms, the LPA will need to consider performance in bringing forward and delivering large-scale development and enable alternative solutions where the required outcomes are not being achieved. This is discussed later in relation to Policy A13 specifically.

Policy S2: Settlement Hierarchy

2.17 The consultation document sets out a Settlement Hierarchy which is to serve as the framework for the Council to achieve its vision for the plan area, meet the scale of development required and enhance the quality of the built natural, historic, social and cultural environments, whilst sustaining the vitality of communities. This hierarchy seeks to deliver sustainable development that will support the role and function of different places within the plan area.

2.18 In this regard, Policy S2 is consistent with the NPPF acknowledging how "significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, improve air quality and public health." (paragraph 105 refers). The Settlement Hierarchy ensures that new development is located in areas where residents have access to facilities and services and a range of public transport networks.

2.19 Chichester city is identified as the Sub-Regional Centre, with four Settlement Hubs being identified at East Wittering/Bracklesham; Selsey; Southbourne and Tangmere. This is a continuation of the existing spatial strategy in the Adopted Local Plan and consistent with the principle of locating new development at the most sustainable locations.

2.20 Southbourne is rightly identified as a Settlement Hub due to its range of local services and facilities, key public transport connections and employment/educational opportunities accessible via non vehicular methods of travel. The approach to Southbourne is discussed later at Section 4 and at Policy A13.

2.21 Accordingly, this strategic policy is positively prepared and justified, and is consistent with national policy promoting sustainable patterns of development.

### 3 Overall amount of Housing

Policy H1 Meeting Housing Needs  
Housing Need

3.1 Paragraphs 60 and 61 of the NPPF state that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.

3.2 Only in exceptional circumstances could an alternative approach be justified. But even then, that alternative approach will also need to reflect current and future demographic trends and market signals.

3.3 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan period, amounting to 575dpa.

3.4 This is lower than both a. the standard method figure of 638 dpa; and, b. the Preferred Approach figure in the previous consultation, of 650 dpa which included accommodating some unmet need arising from the South Downs National Park (SDNP) area. This shortfall will amount to over 1,100 dwellings across the plan period. Without any Statements of Common Ground being published by the Council or evidence of the shortfall being accommodated elsewhere, this remains unaddressed.

3.5 It is highly germane that the current Local Plan adopted a lower housing figure than the identified need of 505dpa, proposing instead to deliver 435dpa.

#### Affordability in Chichester

3.6 The affordability ratios have risen from 12.38 in 2015, when the current Local Plan was adopted, to 14.61 in 2021 for Chichester, which is significantly higher than the current 9.1 national average, increasing the need for affordable housing within Chichester.

3.7 Between the 2011 and 2021 census, the number of people ages 50 to 64 years rose by over 3,100 (an increase of 13.4%), while the number of residents between 35 and 49 years fell by approximately 1,900 (8.5% decrease).

3.8 Chichester's worsening affordability ratios and aging population, which typically occurs in line with house price increases, demonstrate the clear need to increase the housing delivery to meet current and future needs (in line with the NPPF), and maximise the potential for housing in this District. The current strategy to suppress housing provision will only exacerbate these problems.

3.9 With the Submission Plan proposing to not meet the identified need, this once again will be an issue which moves onto the next Local Plan, failing to tackle key issues across the District such as affordability and lack of housing land supply. These issues cannot simply be moved onto the next Local Plan, they should be addressed now.

## Constraints for development

3.10 The lower figure of 575dpa reflects both the infrastructure constraints along the A27 and at the

Waste Water Treatment Works, but also no longer accommodating unmet need from SDNP.

3.11 The Transport Study (January 2023) assesses the capacity levels, with particular focus on the A27. Although the Council state that 535dpa is the highest level of development per year achievable, the conclusions of this latest Study state, at paragraphs 5.6.5 and 11.2.3, that development of 700 dpa could be accommodated (in the southern plan area) through the mitigation proposed in the previous scenario of 535dpa with some additional mitigation at the Portfield and Oving roundabout.

3.12 This Transport Study (2023) was published following the preparation of the Sustainability Appraisal which refers to the 2018 study, therefore the latest evidence on highways matters has not been considered within the preparation of this Local Plan.

3.13 This is fundamental to the Plan's approach – increasing the housing requirement could assist with funding those additional highway improvements, in line with the recommendations of the Transport Study at Section 9.3 to prioritise junctions to avoid delays to housing delivery. This should be further reviewed by the Council to ensure the District's need is not being understated. It is recommended the housing need figure is reviewed in line with this evidence and the need to meet the minimum of the standard method figure of 638dpa, and aim to return to the 650dpa previously proposed.

## Duty to Co-Operate

3.14 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

3.15 The East Hampshire Local Plan Review has identified 100dpa for the SDNP area of the District, below the identified need of 112dpa for the District's area and the overall requirement of 447dpa for the SDNP (Housing and Economic Development Needs Assessment 2017). In effect, in combination with Chichester, the National Park is needing to accommodate some 30 more dwellings per annum without any assessment as yet as to whether this can be achieved given the statutory protection that is afforded to it.

3.16 Whilst a Statement of Common Ground is referred to, it has not been published and therefore it is not possible to determine whether the decision not to make a provision for the National Park area is soundly based.

3.17 Previous evidence for the Preferred Approach demonstrated how the figure of 650dpa was achievable and necessary to help with the worsening affordability ratios across Chichester and the neighbouring authorities. Having removed provision for unmet need it is considered this plan has not been positively prepared.

## Summary

3.18 Policy H1 clearly sets out how the majority of housing is to be delivered along the east-west corridor, with 535dpa in the southern plan area and 40dpa in the northern plan area. This is consistent with the Spatial Strategy and the Settlement Hierarchy, Policies S1 and S2, and the overarching objective of locating new housing at the most sustainable locations in the plan area.

3.19 By limiting the amount of housing there will be fewer schemes contributing to the required infrastructure improvements. Without developer contributions to fund wholesale upgrades to this infrastructure there is a risk of pushing the problem down the line for the next Local Plan to address, whilst problems with affordability and an aging population are further exacerbated.

3.20 All future schemes will be required to mitigate their impact on infrastructure including highways and utilities, and there is an opportunity for small to medium scale sites to be delivered in the short term whilst the larger allocations and/or the majority of the larger allocations await the upgrading of these works.

3.21 Currently, the proposal to reduce the overall housing supply for the new plan period is not supported, and the Council should review the Transport Study with the intention of meeting the assessed level of local housing need in full. Without the identified housing requirement being met in full the problem of the younger population being unable to afford to remain in Chichester will continue, further growing the gap in workforce and an increasingly aging population.

3.22 Therefore, this policy is not positively prepared, justified or consistent with the NPPF.

## Policy H2 Strategic Locations/Allocations 2021-2039

3.23 The wording of 'at least' within Policy H1 provides flexibility on the ability to achieve the minimum amount of housing considered necessary by the Council, in line with Policy S2. Although this quantum is not agreed, the approach using 'at least' is considered a sensible approach to allow the achievement rather than under delivery of much needed open and market housing.

3.24 The strategic locations/allocations set out in Policy H2 do not reflect this flexible approach. Instead, the sites are fixed as exact number of dwellings for those locations.

3.25 Paragraph 119 of the NPPF requires planning policies to promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

3.26 Policy A13 is a BLD and is fixed at 1,050 dwellings within Policy H2, this does not allow for the masterplanning approach to further assess the actual capacity and the best use of this land.

3.27 As such flexibility should be embedded into the wording of Policy H2 to ensure that the intention of Policy S2 is achieved; the housing target of at least 10,350 dwellings across the plan period (Policy H1) is met; and the land identified for development is most effectively used.

3.28 Therefore, it is suggested that Policy H2 includes the wording "at least" before the quantum of development for any strategic location or allocation. For example, Policy A13 would instead state "at least".

## Policy H8 Specialist accommodation for older people and those with specialised needs

3.29 National Planning Practice Guidance for Housing for Older and Disabled People states how plan-making authorities should set clear policies to address the housing needs for groups with particular needs such as older and disabled people.

3.30 The Housing and Economic Development Needs Assessment (HEDNA) (April 2022) assesses the period between 2021-2039 for older people and those with a disability.

3.31 This concludes that there will be a 42% increase in the population above 65 years old, amounting to 67% of the total population growth.

3.32 The HEDNA sets out how the East-West Corridor has a higher percentage of over 65 year olds (24.7%) compared to both Chichester City (24.2%) and the Plan Area North area (23.4%).

3.33 The needs arising from this, amounts to between 2,131 and 2,872 additional dwellings with support or care, and a need for 429-800 additional nursing and residential care bedspaces. This equates to approximately 17-24% of all homes needing to be some form of specialist accommodation for older people.

3.34 In this context, the HEDNA makes an important recommendation that the Council allocate specific sites for housing with care to ensure the identified needs are met. In contrast Policy H8 is a criteria based policy that seeks specialist accommodation for older people on housing sites over 200 units based on evidence of local need.

3.35 As written, there is no confirmation on the quantum of specialist accommodation that this policy or other site allocations will secure and how the specific need for each application is calculated. Policy H8 fails to address the identified overall need clearly, as required by National guidance. Therefore, it is recommended the Local Plan allocates sites to deliver this type of accommodation as intended by the HEDNA.

3.36 This approach risks the land on these sites being unable to deliver both the expected market/affordable housing and the specialist accommodation on site.

3.37 The land under Hallam's control would be a suitable site for this type of accommodation, which is situated along the east-west corridor in a sustainable location on the edge of Southbourne.

#### 4 Southbourne

4.1 Southbourne is a key area in the District, in terms of existing development, its status as a Settlement Hub and its potential to accommodate future development.

##### Role of Southbourne

4.2 Southbourne is identified as a Settlement Hub within Policy S2.

4.3 Southbourne is located within the east-west corridor with a range of existing facilities, good transport links, and employment opportunities both to the east and the west.

4.4 As set out in the Submission Plan, Southbourne has good access to educational facilities serving the residents, including primary schools, junior schools and secondary schools. There are a number of convenience stores and other community services and facilities such as a GP practice, pharmacy and places of worship.

4.5 The Bourne Community Leisure Centre provides local residents with access to community sports facilities. Access to public open space is also good through connections to Southbourne Recreation Ground. There is potential for more open space to be provided for local residents within the Local Plan Review and the strategic allocation proposed and this approach is embedded within our own Vision Document.

4.6 A key focus of the Sustainability Appraisal and the Submission Plan is for schemes to promote a modal shift in transportation. The strong public transport links within Southbourne to the wider surrounding area allows access to employment opportunities within the east-west corridor. Southbourne has strong public transport connections to the local and wider area, through bus and train services, to areas including: Chichester, Portsmouth, Havant, Littlehampton, Brighton, Southampton and London.

4.7 For these reasons, Southbourne is rightly designated as a Settlement Hub and is eminently suitable to serve as a BLD.

4.8 The Southbourne Level Crossing Report May 2021 analyses the options for delivering the railway crossing at Southbourne. It concludes that circa 750 dwellings can be delivered north of the railway line before triggering the requirement for a new crossing. The report highlights how sites south of the rail line are not likely to impact on the level crossing and can therefore be delivered earlier than await the railway line improvements.

4.9 Therefore, in this context it would be appropriate to allocate small and medium scale sites to the south of the railway, which is less constrained by the capacity restriction on the railway crossing.

4.10 The land under Hallam's control is to the south of the railway line, would help facilitate a future new railway crossing to the north of the site, and would be of a medium scale to deliver housing early in the period plan.

##### Strategic Allocation A13

4.11 The Key Diagram appears to suggest that new development is to be located to the west and east of Southbourne, remedying the previously unsuccessful approach of focusing development only to the east. Similarly, the Key Diagram acknowledges the need for development to the south of the railway line, facilitating development north of the railway line. It is recommended the wording of the policy should be updated to reflect this diagram, as suggested below:

Provision will be made for a mixed use development within the broad location for development to the west and east of Southbourne, as shown on the Key Diagram.

4.12 Previously, the Preferred Approach consultation document set out at Policy AL13 a minimum of 1,250 dwellings at Southbourne and to be identified in the revised Southborne Neighbourhood Plan. (emphasis added)

4.13 The Submission Plan now allocates Policy A13 for 1,050 dwellings and will be established through the making of allocation(s) in the future Site Allocation DPD or the revised Southbourne NP. This strategic allocation is to act as a mixed use extension to the existing settlement.

4.14 It is acknowledged that the land north of Cooks Lane (Application number: 22/00157/REM) received Reserved Matters approval in August 2022 for 199 dwellings, with the reduction in quantum of development for the BLD reflecting this committed development. A practical effect of this is that this consent will not contribute to the wider infrastructure requirements associated with a larger scale of development.

4.15 It is disappointing to see the phrase "a minimum of" has been removed. This conflicts with the flexibility set out earlier in the consultation document, and also reduces the potential of making effective use of the land for housing that will assist in meeting the overall need of the District.

4.16 Policy A13 prescribes a number of requirements that must be met (criterion 1 – 16). These are considerations that reflect principles of place making and sustainable development and provide a sound framework for the preparation of the allocation through either mechanism.

4.17 One of these requirements states that future development "Provide[s] any required mitigation to ensure there is no adverse impact on the safety of existing or planned railway crossings." The existing Southbourne Neighbourhood Plan, at Objective 9, outlines the issues relating to the railway crossing and the plans for addressing this challenge in the future.



4.18 Related to this is the need for the provision of "suitable means of access to the site(s), securing necessary off-site improvements (including highways) ... to promote sustainable transport options."

4.19 The combination of the requirements relating to the railway crossing and the provision of a suitable means of access show the importance of accessibility to the A27, A259 and the east-west railway line, which are the principal public transport corridors for Southbourne.

4.20 Development will be well connected to Southbourne via footway and cycle connections to the east and offers the opportunity to help realise the construction of a new strategic road and bridge link over the West Coastway Rail Line through provision of land and proportionate contributions to this scheme.

4.21 Criteria 13 ensures there will be sufficient capacity within the relevant wastewater infrastructure before the delivery of development, which addresses (for Southbourne) the identified constraints for the District in relation to housing delivery.

4.22 The remaining requirements of Policy A13 cover the quality and range of development, the provision of education, community and transport facilities, provision of public open space and green infrastructure, and the impact of development on the landscape. These are each appropriate considerations for the Site Allocations DPD.

4.23 Having regard to the above, the allocation of 1,050 dwellings for Southbourne is, in part, appropriate.

4.24 However, this policy should allow for the delivery of small or medium scale parcels of land, in accordance with the NPPF at an early stage of delivery of the wider allocation to enable prompt and timely housing at Southbourne whilst infrastructure upgrades are commenced. The Local Plan should identify and allocate these smaller scale sites to ensure these can come forward early in the plan period.

4.25 A new criteria is proposed to be included in the wording of Policy A13, stating:

(17) To identify land for early delivery on small to medium scale sites which are not constrained by the need for a new railway crossing.

4.26 Therefore, the principle of a strategic allocation for mixed use housing is considered appropriate but amendments should be made to the wording of the policy to reflect the approach to flexibility, the inclusion of small and medium scale sites, and the dispersion of development to both the west and east of Southbourne.

Southbourne Neighbourhood Plan

4.27 As set out in the paragraph 10.56 of the Submission Plan, development phasing is a key issue to address through the allocation of development sites for this BLD.

4.28 Paragraph 70 of the NPPF states that "Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites suitable for housing in their area." Southbourne Parish Council should be aware of this when allocating the strategic sites, to ensure that there are a mix of housing sites, that could come forward sooner than the principal element of the larger strategic site.

4.29 Through the preparation of the Neighbourhood Plan, the Parish Council should take into account the allocation of smaller sites, which could come forward as part of and alongside the larger strategic site. This will ensure that there is not a delay in the provision of housing within Southbourne and the plan area.

4.30 As set out previously, the most suitable mechanism for progressing the Southbourne BLD would be the Site Allocation DPD. Whether the sites are allocated through the Site Allocations DPD or the NP, there is a requirement to identify small and medium scale site.

Land to the north of Gosden Green

4.31 The land under Hallam's control to the north of Gosden Green, should either be allocated in the Local Plan as a medium scale site or should be a key component of the BLD. The site can deliver both market/affordable residential units and specialist elderly accommodation. The site will create flexibility in achieving the housing requirement of the plan area early on in the plan period.

4.32 The accompanying Vision Document demonstrates how as an early development parcel for the wider BLD, a series of key benefits in accordance with the 13 criteria of Policy A13 will be achieved.

4.33 The Proposed Submission Plan at Policy H8 identifies the need for specialist accommodation for older people and those with specialist needs. Although not set out in the Vision Document, this site can deliver, early in the plan period, much needed specialist elderly accommodation.

4.34 Figure 3 of the Vision Document presents the scheme's ability to connect into a wider masterplan for the strategic development, as it comes forward in the future. However, at the same time has the ability to come forward at an earlier rate being physically unconstrained and a well contained parcel of land.

4.35 Figure 9 provides context on connectivity, and the modal shift this scheme aims to achieve. The ability to walk to a range of services and facilities, including the train station further demonstrates the ability for the early delivery of this parcel of the BLD.

4.36 The impact of the highways network has been assessed for both a full residential scheme and specialist elderly housing, highlighting how the residential scheme will introduce approximately 55 new vehicles to the network at peak times, resulting in less than 1 car per minute in the peak hour. Either scheme will have a negligible impact on the highway network and would have a negligible impact on A27.

4.37 The site is to the south of the railway line, as previously mentioned, and would be unconstrained by the capacity constraint of the existing railway crossing.

4.38 For these reasons, the land under Hallam's control should be allocated within the Local Plan.

## 5 Conclusion

5.1 These representations are submitted on behalf of Hallam Land Management Limited.

5.2 In the context of national, local and neighbourhood planning policies, the Local Plan has an important role in providing policies and proposals for residential development to meet future needs.

5.3 The proposed objectively assessed need for housing across the plan area is not agreed, and the Council should review the latest transport evidence which currently do not demonstrate how there are exception circumstances, in accordance with paragraph 62 of the NPPF. The Council should also extend the plan period to ensure it meets the requirements of a minimum of 15 years in the NPPF.

5.4 Consistent with the established strategy to focus development in the District's east-west corridor, the Broad Location for Development to Southbourne as a Settlement Hub is, as a matter of principle, a sound proposition. Importantly the Key Diagram identifies the broad location for this development to the west and east of the settlement.

5.5 As discussed, there should be flexibility embedded into all strategic allocations, in particular those which are Broad Locations for Development through the use of the wording "at least". This will ensure that the "at least" quantum of housing delivery is met and affords flexibility to all housing sites coming forward.

5.6 The responsibility for allocating additional development land to meet this requirement has been given to either the Parish Council through the preparation of a new Neighbourhood Plan or through the Council reviewing the Site Allocations DPD. It is recommended that for the larger strategic allocations and locations the Site Allocations DPD is the more suitable mechanism for identifying land given the need to ensure that proposals are sound.

5.7 Whilst the scale of development proposed is strategic in nature, it is entirely appropriate to consider how different development parcels might contribute towards that and in particular early opportunities that facilitate larger scale development later in the plan period.

5.8 To this end, land to the west of Southbourne and south of the railway line could be allocated as the first phase of the strategic site allocation, as a medium size site, so that this southern section of the new link road is built to enable access to land to the north. This will reduce the pressure placed on the centre of Southbourne, the highway capacity on the A27, and the existing railway crossing.

5.9 By allocating small to medium scale sites in the Local Plan, this will bring forward development at a quicker pace and ensure that the objectively assessed needs for housing across the plan area are met each year. These can be delivered without prejudice to the larger strategic allocations and locations.

5.10 Currently, the Submission Plan fails to address the increasing need for specialist accommodation, with Policy H8 failing to secure specific delivery of such housing, instead moving this matter into major development schemes with no mechanism for assessing need at that stage. It is recommended that the Local Plan allocates sites for specialist accommodation.

5.11 Hallam control land to the west of Southbourne, which adjoins the land at Gosden Green which has already been built. The land controlled by Hallam could be: allocated as a medium scale site within the Local Plan; included as part of the western strategic allocation of Broad Location for Development at Southbourne; or could be allocated for specialist elderly accommodation, ensuring land is readily available for development early in the plan period to address identified needs.

5.12 This would be consistent with the development strategy for the Plan and positively contribute towards meeting future development needs of the plan area.

5.13 These representations have demonstrated that in part the Submission Plan has been positively prepared and justified, however the key recommendations in these Representations should be followed to ensure the plan preparation accords with Paragraph 35 of the NPPF.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sgn>

Vision Document - <https://chichester.oc2.uk/a/sgy>

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

#### Summary:

The drafting does not match the landscape character evidence in relation to settlement character. The ambition to support landscape quality in the North of the Plan Area is undermined by identifying all the settlements as 'Service Villages'. By labelling them all as 'Service Villages' will risk the smaller villages becoming treated as larger 'Service Villages' in time, which will risk them losing their character and settlement hierarchy within this area. Compared to Fishbourne, Boxgrove, and Westhampnett, Wisborough Green is an isolated exceptionally rural village; however, compared to Ifold, Wisborough Green is akin to a 'Service Village'.

**Full text:**

The drafting of this section of the Plan does not match the landscape character evidence in relation to settlement character. The ambition to support landscape quality in the North of the Plan Area is supported by the Council, but it is undermined by identifying all the settlements as 'Service Villages'. Plaistow, Ifold and Kirdford in particular are all small villages in comparison with Loxwood and Wisborough Green, which are larger scale settlements and different in character terms. By labelling them all as 'Service Villages' will risk these smaller villages becoming treated as larger 'Service Villages' in time, which will risk them losing their character and settlement hierarchy within this area. These smaller villages should be reclassified as "Rest of Plan Area: Includes the countryside and other small villages and hamlets which have poor access to facilities."

The Plan identifies that there are few large settlements North of the Plan Area. To ensure this distinctive area of the District is correctly conserved and, where appropriate, enhanced in keeping with the aspirations set out in Chapter 2: Vision and Strategic Objectives, North of the Plan Area, paragraphs 2.49 – 2.51 it is important that the various settlements within the area are correctly identified. Compared to Fishbourne, Boxgrove, and Westhampnett\* Wisborough Green is an isolated exceptionally rural village; however, when you compare Wisborough Green to Plaistow, Ifold or Kirdford, Wisborough Green appears more akin to a true 'Service Village'.

\*proximity to A27, public transport, Chichester city and other higher order settlement hubs, services and facilities

Therefore, it is incorrect to list Plaistow, Ifold, Kirdford, Wisborough Green and Loxwood in the same 'Service Village' category as Fishbourne, Boxgrove, and Westhampnett etc as this does not correctly recognise the true scale of the settlements in the North of the Plan Area, which are materially different from the rest of the District.

Settlements are 'small and dispersed' with poor connectivity either to each other or to other settlement hubs. To do so, is contrary to the Plan's aspiration to maintain landscape quality. The Plan's policies need to correctly reflect the characteristics of each landscape. If settlements are incorrectly identified any growth will be unsustainable and will change the character of the whole landscape. The ambitions should be constrained by an area's landscape capacity.

Chichester's landscape evidence remains the Capacity Study 2019. The results of this study should be correctly reflected within Plan policies.

Whilst the Council understands that some small-scale development is required within the North of the Plan area and supports this, it wishes to act as a critical friend to ensure that the nuances of the proposed small scale development is fully appreciated.

All housing numbers advocated for the North of the Plan Area are large-scale for the current size of the settlements in this area and will increase their population sizes, without providing any services / facilities to manage this increase. In truth, the Plan cannot / does not deliver the required services / facilities the current settlements need, irrespective of any additional growth. The Plan cannot alter the proximity of the SDNP; the areas dark skies; its rare ecology; the poor rural road networks; the proximity of key services to these northern settlements e.g., secondary schools / higher education / transport links - many of which are situated outside of the District itself; the lack of supermarkets; the lack of other services which are necessary to support a diverse population i.e., libraries, children's centres, job centres etc and the dependence on private vehicles.

The various services / facilities required to support bigger population sizes are outside of the control of CDC and the Local Plan – medical services / school placements (primary, secondary, and higher education) / public transport services / leisure / retail. Therefore, whilst 25, 50, 75, 220 are very small housing numbers when compared to the rest of the District, if the local services upon which these additional residents will rely upon are already oversubscribed – which they are - and there is no prospect of delivering the requires support services in the area – which there is not - then any housing number above that which the current local area can reasonably accommodate is unsustainable development.

**Change suggested by respondent:**

These smaller villages [specifically Plaistow Ifold and Kirdford] should be reclassified as "Rest of Plan Area: Includes the countryside and other small villages and hamlets which have poor access to facilities."

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Support**

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Generally supported.

**Full text:**

Policy S2 Generally supported but further detail is required

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

---

**Support**

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Welbeck Strategic Land IV LLP [7970]

**Agent:** Mrs Sarah Hufford [7969]

**Summary:**

The inclusion of East Wittering/Bracklesham as a Settlement Hub is supported.

As noted in our response to Policy S1, it is considered that residential growth should be planned for accordingly

**Full text:**

The inclusion of East Wittering/Bracklesham as a Settlement Hub is supported.

As noted in our response to Policy S1, it is considered that residential growth should be planned for accordingly

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

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**Object**

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Mr Alan Hutchings [7035]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

Our comments concern the Settlement Hierarchy policy S2 and the settlement boundary of North Mundham/Runcton. In our view, the wording of S2 could be amended to improve the Plans overall performance in connection with the 'positively prepared' and 'justified' tests of soundness. The settlement policy boundary itself is out of date and was last revised in the 2015 Local Plan. The boundary should be reviewed as part of the current Local Plan Review

**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Our comments concern the Settlement Hierarchy policy S2 and the settlement boundary of North Mundham/Runcton. In our view, the wording of S2 could be amended to improve the Plans overall performance in connection with the 'positively prepared' and 'justified' tests of soundness. The settlement policy boundary itself is out of date and was last revised in the 2015 Local Plan. The boundary should be reviewed as part of the current Local Plan Review

**Policy S2 – Settlement Hierarchy**

The Settlement Hierarchy background paper prepared for the last Preferred Options Local Plan is dated December 2018. It has not been updated for the present Submission Local Plan but still provides justification for the hierarchy in Policy 2 of the Local Plan. It forms the basis for the proposed distribution of growth by distinguishing between those settlements considered to be the most sustainable having the best range of facilities and accessibility from those with the least. Most development is focused on the former and development to meet local needs or no development whatsoever on the latter. We agree that North Mundham/Runcton is properly classified as a service village in the hierarchy and is suitable for settlement boundary status in the Local Plan.

The second part of Policy S2 that deals with settlement boundaries and states:

**Settlement Boundaries**

There is a presumption in favour of sustainable development within the settlement boundaries which will be reviewed through the preparation of development plan documents and/or neighbourhood plans, reflecting the following general approach:

1. Respecting the setting, form, and character of the settlement;
2. Avoiding actual or perceived coalescence of settlements; and
3. Ensuring good accessibility to local services and facilities.

Whilst we agree that settlement boundaries must be reviewed because they were last drawn in 2015 and are out of date, we object to the timing of the boundary reviews. Where Neighbourhood Plans are not being prepared the earliest opportunity for a boundary review would be in connection with the Site Allocations DPD. According to the Local Development Scheme this isn't anticipated for adoption until the winter 2026/27. This delay would not assist with the delivery of additional sites, and we therefore propose that the settlement boundaries reviews are carried out as part of the current Local Plan Review, not the future site Allocations DPD. The first sentence of policy S2 above should therefore be amended with the following italicised text:

There is a presumption in favour of sustainable development within the settlement boundaries which will be reviewed through the preparation of the 2021-2039 Local Plan and/or neighbourhood plans. Boundaries may be redrawn to include the whole curtilage of homes and other buildings and land where they relate well to the existing built-up area reflecting the following general approach: ....

Settlement boundaries should be expanded to include new development adjacent to the existing settlement boundary. The boundary revision previously proposed for north Mundham and Runcton shown in Appendix 1 of the Background Paper should therefore be revised to reflect recent development on the ground and include additional land highlighted edged red on the plan to the east of Pigeon House Farm. The plan is attached with these comments.

The land should be included within the revised settlement boundary of North Mundham because it is surrounded by existing development on 3 sides and Church Road to the east. It relates well to the existing built up area of North Mundham. The positive relationship will be reinforced by proposed new development on land south of Lowlands proposed for 66 dwellings community orchard, open space and bandstand to the west (LA Ref 20/02989). The extension of the settlement boundary avoids any perceived coalescence with Runcton. It is not subject to any designated landscape, biodiversity, technical or infrastructure constraint and was identified in the 2021 HELAA as a deliverable housing site (Refs MNM 0011 and MNM 0011a).

(Continue on a separate sheet /expand box if necessary)

**Change suggested by respondent:**

The wording of S2 should be revised to better reflect the methodology for settlement policy boundary reviews in the settlement policy boundary background paper. The settlement policy boundary of North Mundham/Runcton should also be redrawn as shown on the draft revised boundary plan accompanying these comments to include recent implemented consents and land to the east of Pigeon House Farm on the south side of the village.

**Legally compliant:** No  
**Sound:** No  
**Comply with duty:** No  
**Attachments:** N Mundham Reg 19 - <https://chichester.oc2.uk/a/sf3>  
N Mundham Plan - <https://chichester.oc2.uk/a/sf4>

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## Object

**Document Element:** Policy S2 Settlement Hierarchy  
**Respondent:** Seaward Properties Ltd [7119]  
**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself. For instance the allocation at Chidham and Hambrook parish has been reduced from 500 to 300 dwellings. Whilst Loxwood has an increased allocation of 220 dwellings this could still be considered an under provision of development for the NE part of the district as a whole. In our view, given the capacity constraints for development in the south part of the district, the NE sub region could have played a more significant role in helping rebalance the development needs of the district with a more equal split between the north and south areas.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Given the capacity constraints for development in the south part of the district, the NE sub region could play a more significant role in helping rebalance the development needs of the district with a more equal split between the north and south areas. This should be given further consideration.

**Legally compliant:** Not specified  
**Sound:** No

**Comply with duty:** Not specified  
**Attachments:** Seawrd Reg 19 - <https://chichester.oc2.uk/a/sfm>

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Runnymede Homes Ltd [8122]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

Runnymede Homes Ltd are generally supportive of the approach taken to new residential development in the North East of Plan Area but respectfully request that the Wisborough Green Settlement boundary be amended to reflect Neighbourhood Plan Allocations that have now been completed.

**Full text:**

1 Introduction

1.1 Henry Adams LLP act on behalf of Runnymede Homes Ltd (Client) in respect of Land at Winterfold Garden, Durbans Road (the Site).

1.2 These representations respond to the Regulation 19 Consultation version of the Chichester Local Plan 2021-2039 (Feb 2023) and more specifically those policies relating to Wisborough Green and the North East of Plan Area. Our Client is also mindful of the Neighbourhood Plan Review which is currently on going and for which the Site benefits from a draft allocation.

1.3 Runnymede Homes Ltd are generally supportive of the approach taken to new residential development in the North East of Plan Area but respectfully request that the Wisborough Green Settlement boundary be amended to reflect Neighbourhood Plan Allocations that have now been completed.

2 Chapter 3: Spatial Strategy

2.1 The Client is supportive of the Settlement Hierarchy and the approach taken to new residential development being relative to, and directed in order of the most sustainable settlements. They are also supportive of Wisborough Green being categorised as a Service Village.

2.2 However, they have noted that the Schedule of Proposed Changes to the Policies Map does not include amendments to the Wisborough Green Settlement Boundary in order to account for the Neighbourhood Plan Allocations (2016) that have now been completed.

2.3 The Wisborough Green Neighbourhood Plan (2016), Policy OA3 and paragraph 5 state that 'The village boundary will only be enlarged to include sites SS1 and SS4 following the development of these sites when the final balance of built area to open space is known'. Site Allocation SS4, now known as Songhurst Meadow, has been built out. In accordance with the adopted Neighbourhood Plan Policy OA3 and supporting text at paragraph 5, the settlement boundary should be amended through the Revised Neighbourhood Plan.

2.4 Representations have been made to the Neighbourhood Plan Regulation 14 Consultation outlining the above but the progress going forward on this is unclear given the Local Plan requirement for an increase in housing provision.

2.5 In terms of the Local Plan Schedule of Proposed Changes to the Policies Maps, we have been unable to locate a Settlement Boundary Methodology post that published in 2013 to support the Settlement Boundary Review as part of the 2019 Local Plan. We have therefore referenced the 'Key Requirements' as set out within this document;

'Settlement boundaries should include new development adjacent to the settlement boundary. This includes sites that have been developed following allocation in the Adopted Local Plan 1999, sites that have planning permission, built exception site housing, minor extensions and other areas adjacent to but outside the current settlement policy area that relate more to the built environment than to the surrounding countryside.'

2.1 It is normal practice for consented sites, that are not rural exception sites and that are well related to the existing settlement, to be included within the settlement boundary, as confirmed by the above Key Requirement. Regardless of the size of settlement, all amendments at Neighbourhood Plan level should be reflected within any updates at Local Plan level.

2.2 We therefore request that careful consideration be given to all settlements with settlement boundaries that have been subject to Neighbourhood Plan Allocations or recent planning consents and that settlement boundaries be updated accordingly.

**Change suggested by respondent:**

Request that the Wisborough Green Settlement boundary be amended to reflect Neighbourhood Plan Allocations that have now been completed.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sg3>

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Runnymede Homes Ltd [8122]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

Runnymede Homes Ltd are supportive of the Settlement Hierarchy and the approach taken to new residential development being relative to, and directed in order of the most sustainable settlements. They are also supportive of Wisborough Green being categorised as a Service Village

**Full text:**

1 Introduction

1.1 Henry Adams LLP act on behalf of Runnymede Homes Ltd (Client) in respect of Land at Winterfold Garden, Durbans Road (the Site).

1.2 These representations respond to the Regulation 19 Consultation version of the Chichester Local Plan 2021-2039 (Feb 2023) and more specifically those policies relating to Wisborough Green and the North East of Plan Area. Our Client is also mindful of the Neighbourhood Plan Review which is currently on going and for which the Site benefits from a draft allocation.

1.3 Runnymede Homes Ltd are generally supportive of the approach taken to new residential development in the North East of Plan Area but respectfully request that the Wisborough Green Settlement boundary be amended to reflect Neighbourhood Plan Allocations that have now been completed.

2 Chapter 3: Spatial Strategy

2.1 The Client is supportive of the Settlement Hierarchy and the approach taken to new residential development being relative to, and directed in order of the most sustainable settlements. They are also supportive of Wisborough Green being categorised as a Service Village.

2.2 However, they have noted that the Schedule of Proposed Changes to the Policies Map does not include amendments to the Wisborough Green Settlement Boundary in order to account for the Neighbourhood Plan Allocations (2016) that have now been completed.

2.3 The Wisborough Green Neighbourhood Plan (2016), Policy OA3 and paragraph 5 state that 'The village boundary will only be enlarged to include sites SS1 and SS4 following the development of these sites when the final balance of built area to open space is known'. Site Allocation SS4, now known as Songhurst Meadow, has been built out. In accordance with the adopted Neighbourhood Plan Policy OA3 and supporting text at paragraph 5, the settlement boundary should be amended through the Revised Neighbourhood Plan.

2.4 Representations have been made to the Neighbourhood Plan Regulation 14 Consultation outlining the above but the progress going forward on this is unclear given the Local Plan requirement for an increase in housing provision.

2.5 In terms of the Local Plan Schedule of Proposed Changes to the Policies Maps, we have been unable to locate a Settlement Boundary Methodology post that published in 2013 to support the Settlement Boundary Review as part of the 2019 Local Plan. We have therefore referenced the 'Key Requirements' as set out within this document;

'Settlement boundaries should include new development adjacent to the settlement boundary. This includes sites that have been developed following allocation in the Adopted Local Plan 1999, sites that have planning permission, built exception site housing, minor extensions and other areas adjacent to but outside the current settlement policy area that relate more to the built environment than to the surrounding countryside.'

2.1 It is normal practice for consented sites, that are not rural exception sites and that are well related to the existing settlement, to be included within the settlement boundary, as confirmed by the above Key Requirement. Regardless of the size of settlement, all amendments at Neighbourhood Plan level should be reflected within any updates at Local Plan level.

2.2 We therefore request that careful consideration be given to all settlements with settlement boundaries that have been subject to Neighbourhood Plan Allocations or recent planning consents and that settlement boundaries be updated accordingly.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sg3>

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Deerhyde Limited [7657]

**Agent:** Vail Williams LLP (David Ramsay, Partner) [8134]

**Summary:**

It is noted that at Policy S2 (settlement hierarchy), Selsey is listed as a "settlement hub" which is the second tier of settlement under Chichester city. Whilst this hierarchy, particularly in connection with Selsey is supported it is therefore surprising not to see more housing sites allocated within and around Selsey.

Given the potential number of environmental constraints on the Manhood Peninsula it is unlikely that sites of any excessive size would come forward and large numbers of dwellings would not necessarily result once the sites had taken account of their environmental constraints. That said, and as reflected above, sites of a size proportionate to their location but below "strategic" size can have an important part to play in the delivery of sufficient housing numbers in the right location at the right time in accordance with the NPPF.

**Full text:**

I am pleased to attach our representations in response to the Chichester Local Plan Regulation 19 consultation. These representations are submitted on behalf of our clients Deerhyde Ltd. owners of land in Selsey and located in the area for a significant number of years.

The submitted documents include the following:

- Representations statement
- Plans showing the potential road widening of Golf Links Lane and Paddock Lane, Selsey
- Development potential of sites for residential development at Golf Links Lane and Old Farm Road, Selsey taking account of flood zones 2 and 3 (2 plans 15-085 SK03 and SK04)
- Plans showing access options to Golf Links Lane site
- Plan showing tracking analysis for low-loaders
- Junction analysis
- Submission form

As detailed in the attached, after careful consideration we have concluded that the housing strategy for Chichester is flawed in principle as it fails to allocate sufficient sites in outside Chichester City (or adjacent to) to allow the remainder of the District to continue to provide houses for local people in areas where they are most needed.

In addition, our clients have put forward a suggestion for an infrastructure improvement to Selsey – namely the widening of Golf Links Lane and Paddocks Lane to accommodate delivery of caravans / other HGV / LGVs but also to provide a wider carriageway which could potentially incorporate a pavement / footpath cycleway to aid safer conveyance of pedestrians and vehicles in the area. Adding in a safer highway solution would also encourage car users to walk or cycle for local trips rather than risking congestion in the car. It would have the added benefit of diverting caravan park traffic travelling from the north into the caravan parks earlier and thus relieving congestion of Selsey High Street.



## Introduction

1.1. Vail Williams LLP has been instructed by Deerhyde Ltd to submit representations to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) document.

1.2. As per the Website, these comments seek to address the three questions namely:

1. Is it legally compliant?
2. Is it sound?
3. Does it comply with the duty to cooperate?

1.3. These representations are largely focussed on the provision of housing and ensuring that a satisfactory access (both vehicular and pedestrian) can be maintained and enhanced, particularly in Selsey.

1.4. These representations reflect the fact that our client, Deerhyde Ltd, owns a significant amount of land in the Selsey area, an interest which was acquired in 1986 but with family ownership going back many years before then.

1.5. Our clients have identified a potential opportunity to facilitate highway improvements within Selsey which would be to the benefit of both residents and tourists using the holiday parks and other attractions alike. This would particularly be of benefit given the Council's acknowledgement that the B2145 through Selsey is the busiest B road in the country. These representations bring into question the 'tests of soundness'. In particular regarding the questions as to whether it is 'sound' on the basis of whether it has been 'positively prepared', whether it is 'justified' and 'effective' in respect of the areas of concern raised with respect to employment land provisions.

1.6. As set out at Paragraph 35 of the NPPF local plans are required to be 'sound'. Plans are considered sound when the following applies:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>1</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy<sup>2</sup>, taking into account the reasonable alternatives<sup>3</sup>, and based on proportionate evidence<sup>4</sup>;
- c) Effective – deliverable over the plan period<sup>5</sup>, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.<sup>6</sup>

1.7. These representations seek to highlight that Chapter 5 (Housing) has not been positively prepared, in so far as it does not provide [1.] "a strategy which, as a minimum, seeks to meet the area's objectively assessed needs".

1.8. It is also considered that Chapter 5 is not justified as the housing strategy is [2.] is inappropriate as it relies on a number of large strategic sites, with multiple issues some of which are in conflict with other parts of the local plan.

1.9. Chapter 5 is also not justified with respect to its provisions do not [3.] take into account reasonable alternative sites.

1.10. It is considered on the basis of the other factors highlighted in these representations and the proposed housing land provision is not 'consistent with national policy' as the proposed provision does not enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant. It is considered that the proposed plans are contrary to the NPPF paragraph 16a, 16b, 16c, 16d and paragraph 20a

## 2 Local Plan Representations

2.1. Having reviewed the draft Local Plan we would make the following comments:

2.2. Paragraph 3.1 asserts the Government's encouragement for local planning authorities to ensure sustainable development is at the forefront when considering planning applications and that the National Planning Policy Framework (NPPF) defines sustainable development as "meeting the needs of the present without compromising the ability of future generations to meet their own needs". Paragraph 3.5 goes on to advise the range of factors as are informed the spatial strategy which underpins the local plan which, inter alia, "the pattern of need and demand for housing and employment across the area", "infrastructure capacity and constraints, in particular related to waste water treatment, roads and transport", "the availability of potential housing types, their deliverability and phasing" and this needs to take place whilst being mindful of the environmental constraints taking a sequential approach to avoiding flood risk areas, protect the environmental designations, landscape quality, the historic environment and settlement character.

2.3. The principles outlined above are supported as these are the key facets of good planning and plan making. However it falls to local authorities to ensure that the sustainable approach includes providing a sufficient supply of homes and facilitating a variety of sites to come forward where needed, and that the needs of groups within specific housing requirements are addressed and that land with permission is developed without unnecessary delay. (Paragraph 65). Paragraph 66 states that within the overall requirement [for housing] strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.

2.4. Paragraph 67 goes on, where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take account of factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

2.5. Paragraph 68 asserts that strategic policy making authorities should have a clear understanding of the land available in their area through the preparation of a Strategic Housing Land Availability Assessment (SHLAA). From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and locally economic viability.

2.6. Further guidance states (Paragraph 69) that small and medium sized sites can make an important [my emphasis] contribution to meeting the housing requirements of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites the local planning authority should identify sites of small and medium size and support the development of windfall sites through their promises and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes.

2.7. Neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites suitable for housing in their area. Paragraph 71 goes on: where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the SHLAA, historic windfall delivery rate and expected future trends.

2.8. Whilst it is noted that the delivery of large scale sites can result in the delivery of large numbers of new homes, it is apparent that such developments take considerable time to work their way through the planning system to an approval and even then are only at outline stage. The delivery of new homes is therefore reliant on the Councils to efficiently determine reserved matters applications and, thereafter, discharge of conditions, to allow a swift implementation of planning applications and a timely start on site for the delivery of housing.

2.9. The inclusion of small and medium sites (ie. not reliant on strategic sites) within the housing mix are invaluable in delivering housing quicker and potentially in places, perhaps outside the main settlements, which would allow new housing to be accessible to all which is one of the key facets of the NPPF.

2.10. This approach would assist with maintaining delivery of housing where existing allocations are either stalled or progressing slowly through the planning system or have simply been delayed in coming forward for perhaps other commercial reasons.

2.11. The plan is largely predicated on strategic sites, as detailed at Policy H2 which would provide 7,195 houses. This is a significant reliance on the strategic sites to deliver 75% of the overall housing target and much of them are predicated on the works to the A27 being completed in order to make them acceptable.

2.12. It should be noted that the above housing provision is predicated on the ability to identify mitigation for the impacts on the European environmental designations (including nutrient neutrality), addressing highway implications and negotiating the planning system.

#### The Manhood Peninsula

2.13. The preferred approached version of the Local Plan does include moderate growth for the settlement hubs of Selsey (250 dwellings) and East Wittering (350) and the service village of Hunston (200). However, since then several planning permissions have contributed to the moderate levels of growth on the Manhood Peninsula which the Council says has accounted for these housing numbers. The plan does not therefore include any strategic allocations on the Manhood Peninsula in recognition of this recently permitted growth and the ongoing constraints the area faces, save for 50 dwellings to come forward at North Mundham.

2.14. This approach is not considered sound as a reason to prevent development of any scale on the Manhood Peninsula (particularly Selsey) for the plan period. As detailed above, it is essential that the plan allocates land across its settlement hierarchy in order to maintain a sustainable and deliverable approach to development and to assist the continuing evolution and economic viability of settlements which rely heavily on tourism and also on new development to maintain the supply of homes to provide options for all sectors of the local community to be able to live on the Peninsula should they so wish.

2.15. It is noted that at Policy S2 (settlement hierarchy), Selsey is listed as a "settlement hub" which is the second tier of settlement under Chichester city. Whilst this hierarchy, particularly in connection with Selsey is supported it is therefore surprising not to see more housing sites allocated within and around Selsey.

2.16. Given the potential number of environmental constraints on the Manhood Peninsula it is unlikely that sites of any excessive size would come forward and large numbers of dwellings would not necessarily result once the sites had taken account of their environmental constraints. That said, and as reflected above, sites of a size proportionate to their location but below "strategic" size can have an important part to play in the delivery of sufficient housing numbers in the right location at the right time in accordance with the NPPF.

#### Housing

2.17. Policy H1 (meeting housing needs) sets out the housing requirement for the full plan period of 1 April 2021 to 31 March 2039 as 10,350 dwellings. This allocates 963 dwellings to the Manhood Peninsula and a windfall (small site allowance) allocation of 657 dwellings for the whole district. There are no strategic locations/allocations on the Manhood Peninsula under Policy H2 which is considered unsound, particularly given the position that Selsey holds in the settlement hierarchy. Furthermore, under Policy H3 (non-strategic parish housing requirements 2021-2039) Selsey has been allocated zero housing. Again, this is considered unsound as it prevents sustainable development and access to new houses for all settlements across the district.

2.18. An overreliance on consented sites coming forward to provide future housing is considered unsound as, in this case, it effectively prevents any further development on the Peninsula and in Selsey in particular.

#### Transport

2.19. Policy T1 (transport infrastructure) is specifically aimed at ensuring that integrated transport measures will be developed to mitigate the impact of planned development on the highway network, improve highway safety and air quality, promote more sustainable travel patterns and encourage increased use of sustainable motor travel, such as public transport, cycling and walking.

2.20. The council will work with National Highways, WSCC, other transport and service providers and developers to provide a better integrated transport network and improve accessibility to key services and facilities. The policy lists seven ways in which the key objectives of reducing the need to travel by car, enabling access to sustainable means of travel, including public transport, walking and cycling; managing travel demands; and mitigating the impacts of travelling by car can be achieved.

2.21. Whilst it is not intended to go through all of these in this document it is noted that all parties are expected to support the four objectives by working with relevant providers to improve accessibility to key services and facilities which would be relevant to Selsey (see below).

2.22. The policy is also aimed at planning to achieve a timely delivery of transport infrastructure on the A27 and elsewhere on the network which is needed to support new housing, employment and other development identified in this plan. The phasing of delivery of new development to align with provision of new transport infrastructure such as improvements to the A27 and elsewhere on the highway network, will be key to managing impacts on the highway. This is yet another impediment to the delivery of a strategic allocations and larger scale development which would, by their very nature, generate a higher highway impact on the transport network than carefully planned smaller developments which could satisfy a much more localised need and be cause less impact on the strategic road network. The tariff proposals outlined at paragraph 8.20 only covers part of West of Chichester and Tangmere SDLs and not the other strategic sites outlined at Policy H2.

2.23. Critically it is also understood that Highways England has pulled funding for the improvements to the Bognor Road roundabout as part of a package of A27 improvements. On this basis it is unclear how further funding would be secured at this time.

2.24. The lack of soundness to the approach of significant reliance on strategic sites, due to the current lack of capacity of the A27, is evident in the text that accompanies the policy which states that opportunities to secure funding to implement this package of improvements will be maximised by working proactively with Government agencies, other public sector organisations and private investors. Developer contributions from new development will also be sought. It is clear that smaller scale developments which would have a significantly lesser impact on the highway network could deliver housing quicker and with fewer constraints to implementation. It is for these reasons that smaller sites should be allocated, particularly in the Manhood Peninsula, for development.

2.25. The content of Policy T2 (transport development) is largely supported and considered sound save for the fact that it does not seem to cover the improvement of local transport routes, particularly those that would assist in improving the circulation of traffic around smaller settlements. The policy

should be amended to specifically relate to local transport improvements which are locally important to aid traffic circulation and reduce congestion.

#### Neighbourhood Plan

2.26. The Selsey Neighbourhood Plan does not seek to allocate any sites or residential development, instead relying on those which were allocated in the previous local plan and, in particular, developments at Park Farm/Middle Field and Drift Field totalling 249 houses. It is assumed that this existing commitment accommodates the neighbourhood plan of 150 houses which is the justification for not allocating of residential development in the neighbourhood plan. However, this is short sighted as the neighbourhood plan runs to 2029 and, although development sites are largely controversial within smaller communities there is a lack of recognition of the requirement to provide new houses for existing and future residents (including descendants of current residents) in order to maintain the vitality and viability of the settlement outside of the tourist season where it is recognised that the local population will swell.

2.27. These points add further weight to the considered lack of soundness to the housing policies in the local plan which fail to recognise the need for smaller allocations within the Manhood Peninsula, particularly Selsey.

### 3 Local Infrastructure Provision

#### Selsey Road Improvements

3.1. Our clients wish to put forward a potential highway improvement scheme for Selsey which has come about given their extensive historic knowledge of the town and experience of significant congestion along Selsey High Street as a result of an over-reliance of this route by traffic using the caravan parks. It would be a common sense alternative route (to using High Street) which will alleviate congestion along Selsey High Street/School Lane/Paddock Lane/Warners Lane, particularly during the summer months.

3.2. The local plan focusses its attention on the need to improve the strategic highway network but this proposal would provide a significant benefit at a local level in Selsey. As per the attached plan, our clients propose to widen Golf Links Lane from its junction with the B2145 Chichester Road to its junction with Paddock Lane, then widen Paddock Lane and make it up to adoptable standard to enable delivery of holiday traffic to the point where it meets the north eastern corner of White Horse Caravan Park, from which point the road has been made up to carry holiday traffic. At the moment, the northern section of Paddock Lane is just a rough track which is not suitable for ordinary road traffic. It is envisaged that, in conjunction with the owner of the largest caravan parks, Warner's Lane will also be improved. It is currently a tarmac road in poor condition with no footways and one section is too narrow to allow two vehicles to pass each other. This is not satisfactory for the major access route to the largest caravan parks.

3.3. Golf Links Lane is currently a single track, tarmac road which is in poor condition. It is two-way but much of it is too narrow to allow two vehicles to pass each other. It serves Northcommon Farm, a small housing development on the northern side, Selsey Golf Club and Selsey Country Club (which comprises c.300 holiday chalets and an associated licensed club). If it were to be made up to adoptable standard to the point where it meets Paddock Lane, it would improve access for existing users but, importantly, it would also create a more direct access route (in conjunction with Paddock Lane) for traffic associated with thousands of holiday caravans as well as a touring caravan park.

3.4. Given that a large proportion of holiday traffic and other tourist industry-related traffic (HGVs carrying food and drink, caravan transporters, tractor/trailer transport and public transport) use the route along High Street/School Lane/Paddock Lane/Warners Lane it is considered that this could be diverted from the B2145 Chichester Road further north than Selsey High Street, thus taking traffic away from the congested High Street. An easier, more direct route to the major caravan parks would be an attractive alternative.

3.5. The mechanism to deliver such a proposal is not yet the subject of formal agreement. A large proportion of the land required to widen the roads is within the ownership of Deerhyde Limited (our clients) and the owner of the major caravan parks. The latter has been very supportive of the proposal verbally. A short section of land is not in any specific ownership but our clients have long-standing rights over its use, which can be traced back to 1830. Our clients are serious about facilitating these highway improvements, including the use of their land, which will inevitably have a significant financial impact upon them.

#### Potential Residential Development Sites

3.6. In order to mitigate the financial impact including both the loss of their land and the implementation of the proposed highway improvements our clients would like to promote two sites for residential development, namely land north of Golf Links Lane (13.5 acres/5.46 hectares) and land west of Old Farm Road for residential development. Whilst the north western corner of the site is located within Flood Zones 2 and 3 it is considered that the developable area of the site would be approximately 4 hectares and could therefore deliver approximately 120 to 140 dwellings. This includes retaining the existing boundary screening along the south eastern boundary and avoiding Flood Zones 2 and 3. An indicative plan is attached to this statement.

3.7. Thawscroft Ltd, an associated company, also owns land west of Old Farm Road, Selsey (2.8ha / 6.9 acres) which taking account of the flood risk constraints along its western boundary could accommodate approximately 50 dwellings. An indicative plan is attached to this statement.

3.8. Having reviewed the planning history of the site it is noted that a planning application (under the name of Thawscroft Limited) was made in December 2016, refused in June 2017 and the appeal was dismissed on 11 June 2018.

3.9. The reasons for refusal related to the following:

1. Site is located outside the defined settlement boundary for Selsey.

2. When the planning officer was giving evidence, he stated that he knew of an alternative site at lower risk of flooding but he would not identify it. After the appeal, an area of land north of Park Lane was identified for 250 houses. The land in question becomes waterlogged in the winter and is highly prone to surface water flooding. It is also only about 250m from Pagham Harbour, a site of major ecological importance with a significant level of protection afforded to it. The planning officer said the real issue with our appeal was one of numbers so it seemed curious to me that a site with a much larger number (250) was identified soon afterwards. Also, the land south of Park Lane (similarly prone to surface water flooding) was in the numbers for 2015/20 but in fact could not be started until 2021 so the planning inspector was misled. I believe that was crucial to the outcome. Landlink have proposed land west of the "Wave" roundabout (opposite Asda). This may be as an alternative for the land north of Park Lane. Neither parcel would be a good fit in the settlement policy area, whereas the land to the west of Old Farm Road would be, a fact acknowledged by planning officers in the past.

3. We did in fact offer to provide contributions towards improving the A27 so that reason for refusal was withdrawn prior to the appeal being heard.

4. As far as I can recall, the Council was content with our proposals in these matters at the time the appeal was heard. The criticism was that the need to avoid Flood Zones 2 and 3 created a narrow site which meant that the layout was said to be cramped. It could be that, with a smaller number of houses, MH Architects could provide an improved layout. Maybe this is reflected in the plan to which Vail Williams refer in paragraph 3.13.

3.10. It is considered that, as detailed above, given the Council's approach to an over-reliance on large strategic sites to fulfil its housing need and the lack of sites identified for development on the Manhood Peninsula (and in Selsey in particular) during the plan period this site could be proven to be an

appropriate location for development as a "windfall site" to help maintain housing supply whilst the strategic sites are in the planning system.

3.11. It is considered the dwellings on the site could be laid out to avoid the Flood Zones 2 and 3 and therefore be at considerably less flood risk than the proposal which was dismissed at appeal. This is set out in the enclosed plan. This would overcome reason for refusal 2.

3.12. Reasons for refusal 3 and 4 would be overcome through the agreement of under Section 106 of the Town & Country Planning Act to provide contributions towards the improvement to the A27 on a proportionate basis to the size of the site and the number of dwellings and also the relevant number of affordable housing units required by policy (or justified as part of a viability exercise). Other matters such as the management of the landscaping, open space, buffers and drainage infrastructure could also be secured by the Section 106 agreement.

3.13. We commend the above highways solution and subsequent development sites to officers in consideration of the draft Local Plan.

#### 4 Conclusions

4.1. It is clear that whilst the overarching strategy of the location of the majority of development in the largest urban settlement of Chichester or adjacent to it is sound the lack of allocation of significant housing numbers to those areas outside Chichester is unsound. This would mean that the vast majority of the district would attract very little housing over the planning period to 2039 thus ensuring that existing settlements would not evolve and would potentially shrink as existing residents and descendants of residents migrate to the Chichester or its strategic urban extensions.

4.2. Outside Chichester, the strategic proposals for Southbourne and Tangmere are similarly isolated. The Manhood Peninsula is particularly lacking in the provision of additional housing sites during the plan period with the justification provided that, for Selsey in particular, recent planning permissions which are being built or have been completed would accommodate all of the housing need going forward for the plan period.

4.3. This approach is flawed for two main reasons (making the Local Plan unsound):

1. The over-reliance on strategic allocations which themselves are constrained by the capacity issues on the A27 and environmental issues such as nitrate neutrality (and any future water neutrality issues which migrate south from the north of Chichester) and the usual impacts on the European sites could mean that these sites are slower in being delivered with little in the way of alternatives allowed for in the local plan.

2. The failure to acknowledge any future development potential of note within the Manhood Peninsula and in particular Selsey will constrain the continued vitality and viability of the settlements within the Manhood Peninsula, particularly following the pandemic when the service sectors are struggling. Taking into account that Selsey in particular but other settlements along the coast within the Manhood Peninsula are reliant on seasonal tourist activity, additional residents are relied upon outside these times in order to provide income for those businesses which may struggle to survive outside the holiday seasons. An effective block on development would significantly reduce the potential future viability of these settlements outside the tourist season.

4.4. The emphasis on the stated urban-focussed housing strategy encourages neighbourhood planning groups/parish and town councils to maintain an opposition to the relevant rather than a proactive policy framework to direct appropriate development within their areas.

4.5. Our clients have detailed above one way which their land could be used in conjunction with others to facilitate a local infrastructure improvement to assist traffic circulation and access in and around Selsey itself which would need to be funded by future residential development and we commend this proposal to you for further consideration.

4.6. We trust that officers will take these representations into account and we look forward to receiving confirmation that the representations have been duly made.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Local Plan Reg 19 Representation Form - Chichester Local Plan - <https://chichester.oc2.uk/a/sjm>  
 15-085\_SK03\_Image - <https://chichester.oc2.uk/a/sjy>  
 22-0360 SK02 - Potential Site Access Option 2 - <https://chichester.oc2.uk/a/sjq>  
 22-0360 sk03\_DRAFT - Potential Site Access - Paddock Lane - <https://chichester.oc2.uk/a/skr>  
 22-0360 SP01\_DRAFT - Paddock Lane - SPA Inbound - <https://chichester.oc2.uk/a/sks>  
 22-0360 SPP02\_DRAFT - Paddock Lane - SPA Outbound - <https://chichester.oc2.uk/a/skt>  
 23 01 03\_22-0360\_TFD - <https://chichester.oc2.uk/a/sk3>  
 23 01 04\_B2145-Golf Links Lane - <https://chichester.oc2.uk/a/sk4>  
 15-085\_SK04\_A.pdf - <https://chichester.oc2.uk/a/spc>  
 Representations to the Chichester Local Plan - March 2023 - Deerhyde Ltd - <https://chichester.oc2.uk/a/spd>

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Mr Graham Pick [8079]

**Agent:** Batcheller Monkhouse (Miss Clare Bartlett, Head of Planning) [7032]

**Summary:**

Policy S2 sets out a settlement hierarchy across the plan area which, it is stated, will be used to inform the spatial distribution of development across the plan area.

Birdham has been categorised as a Service Village alongside other settlements in the peninsula including Fishbourne and North Mundham. We support this categorisation which recognises the range of services available.

Paragraph 79 of the NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities. The Local Plan must acknowledge this and the importance of maintaining existing services within settlements such as Birdham.

**Full text:**

Policy S2 sets out a settlement hierarchy across the plan area which, it is stated, will be used to inform the spatial distribution of development across the plan area.

Birdham has been categorised as a Service Village alongside other settlements in the peninsula including Fishbourne and North Mundham. We support this categorisation which recognises the range of services available.

Paragraph 79 of the NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities. The Local Plan must acknowledge this and the importance of maintaining existing services within settlements such as Birdham.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Mr Graham Pick [8079]

**Agent:** Batcheller Monkhouse (Miss Clare Bartlett, Head of Planning) [7032]

**Summary:**

Support in principle.

**Full text:**

Policy S2 sets out a settlement hierarchy across the plan area which, it is stated, will be used to inform the spatial distribution of development across the plan area.

Birdham has been categorised as a Service Village alongside other settlements in the peninsula including Fishbourne and North Mundham. We support this categorisation which recognises the range of services available.

Paragraph 79 of the NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities. The Local Plan must acknowledge this and the importance of maintaining existing services within settlements such as Birdham.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Gleeson Land (Mr Dominick Veasey, Planning Manager) [7915]

**Summary:**

We support the inclusion of Hambrook and Nutbourne as a service village within the district's settlement hierarchy. Indeed, the Council's Settlement Hierarchy Background Paper confirms Hambrook and Nutbourne has a broad range of key local facilities and services as well as local employment opportunities. The village also has a railway station with frequent services to Chichester and Portsmouth, as well as bus services to Chichester and Petersfield, collectively providing a wider range of facilities, services and employment opportunities.

**Full text:**

We support the inclusion of Hambrook and Nutbourne as a service village within the district's settlement hierarchy. Indeed, the Council's Settlement Hierarchy Background Paper confirms Hambrook and Nutbourne has a broad range of key local facilities and services as well as local employment opportunities. The village also has a railway station with frequent services to Chichester and Portsmouth, as well as bus services to Chichester and Petersfield, collectively providing a wider range of facilities, services and employment opportunities.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Policy\_S2\_Gleeson\_Land.pdf - <https://chichester.oc2.uk/a/sct>

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

**Full text:**

**Executive Summary**

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour

Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Seaward Strategic Land Ltd and Owners of Land on Penny Lane, Hermitage [8035]

**Agent:** Luken Beck MDP Ltd (Mr Ian Johnson) [111]

**Summary:**

We support the Settlement Hub classification for Southbourne as the District's third largest settlement (in population size) after Chichester and Selsey and joint fourth highest ranking settlement in terms of number of key services and facilities. The location of Southbourne within the East-West Corridor accounts for 84.2% of the housing provision for 2021-2039. With good access to the regional road network and public transport links Southbourne has a key role to play in meeting the District's full local housing need.

**Full text:**

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**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Gladman Developments Ltd (Mr Rob Wilding, Senior Planner) [7816]

**Summary:**

In principle, Gladman support the Council's approach in seeking to focus development towards the most sustainable towns and villages capable of accommodating new growth opportunities. In particular, Gladman support the identification of Birdham as a 'Service Village', however we do have serious concerns in relation to the amount of growth which has been allocated to Birdham and the wider Service Villages in general (as discussed in more detail in response to draft policies H1 and H3). Development should be encouraged at the Service Villages which will enhance their roles through the provision of housing, employment, retail and other key services opportunities via allocations proposed through the emerging Chichester Local Plan.

**Full text:**

The spatial strategy seeks to focus on delivering sustainable growth opportunities across Chichester to meet the need for homes and jobs for current and future generations.

The spatial strategy includes four tiers from the 'Sub-Regional Centre' at the top to 'Rest of the Plan area' at the bottom. The majority of new growth opportunities are concentrated towards the main urban areas of Chichester city and the Settlement Hubs (East Wittering / Bracklesham, Selsey, Southbourne and Tangmere) as well as settlements that support their roles with the remaining growth allocated across Chichester.

In principle, Gladman support the Council's approach in seeking to focus development towards the most sustainable towns and villages capable of accommodating new growth opportunities. In particular, Gladman support the identification of Birdham as a 'Service Village', however we do have serious concerns in relation to the amount of growth which has been allocated to Birdham and the wider Service Villages in general (as discussed in more detail in response to draft policies H1 and H3). Development should be encouraged at the Service Villages which will enhance their roles through the provision of housing, employment, retail and other key services opportunities via allocations proposed through the emerging Chichester Local Plan.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate – and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.



## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively. The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

### 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the

educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

### 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling

forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation partake to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to "predicting and providing" for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to "offices", in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to "monitor and manage" is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of "gridlock". The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

"Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use."

Underpinning the Plan's spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: "The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area's main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population."

This is clearly the appropriate focus for meeting the District's development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome. East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhamphnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

"4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester.

There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant."

This is a retroactive approach – it is not "planning", based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.

• Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method...” The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

“5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa.”

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: “New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas.” (our emphasis).

It continues at paragraph 13: “where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people’s mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified.” (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant

effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will form now pursue an approach with the planning system that “includes moving away from transport planning based on predicting future demand to provide capacity (‘predict and provide’) to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including ‘vision and validate,’ ‘decide and provide’ or ‘monitor and manage’). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages.” (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN “Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference.” (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039 Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements Stagecoach Supports

The approach is consistent with the plan’s spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or

through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this. Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

“Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

“1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

“Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council’s Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car.”

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west through movements, which are of



greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of "zero-sum" game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous "predict and provide" approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that "shared mobility" – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this "cars first" approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester "This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone." This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council "has moved away from 'predict and provide'" and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a "predict and provide" strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d'être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 "Development and the Strategic Highways Network", applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

"31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel." (our emphasis)

Within the text quoted above, references to National Highways and "the Company" can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District's identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity *inter alia*, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan's own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous "predict and provide" solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

"Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will

be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of

Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

"9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised."

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered "severe" in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

"(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and..."

At limb v) the Policy expects developers to meet the "in perpetuity costs of operating and maintaining infrastructure". This shackles development management decisions to developers assuming what are infinite costs – given that "in perpetuity", read properly, can only mean "without any limit in time". This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must

include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

### 9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park  
Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, unsurveyed and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

"...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

"..."

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service,

thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...  
10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,  
..."

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

" ...  
12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base is in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

”

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

“

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.



Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“ ...  
7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes “Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes.” (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive “first principles” review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.  
...”

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;  
...”

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

• is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

“Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the ‘Five Villages’ area in Arun District; and..”

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“...  
”

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the ‘Five Villages’ area and Barnham rail station in Arun District; and...”

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing

delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Seaward Strategic Land Ltd and Owners of Land on Cooks Lane, Southbourne [8034]

**Agent:** Luken Beck MDP Ltd (Mr Ian Johnson) [111]

**Summary:**

We welcome the focus in the policy wording and supporting text on the Sub Regional Centres, Settlement Hubs and Service Villages as the main locations for strategic site allocations, employment, retail, social and community facilities.

We support the Settlement Hub classification for Southbourne as the District's third largest settlement (in population size) after Chichester and Selsey and joint fourth highest ranking settlement in terms of number of key services and facilities.

With good access to the regional road network and public transport links Southbourne has a key role to play in meeting the District's full local housing need.

**Full text:**

We welcome the focus in the policy wording and supporting text on the Sub Regional Centres, Settlement Hubs and Service Villages as the main locations for strategic site allocations, employment, retail, social and community facilities.

We support the Settlement Hub classification for Southbourne as the District's third largest settlement (in population size) after Chichester and Selsey and joint fourth highest ranking settlement in terms of number of key services and facilities.

With good access to the regional road network and public transport links Southbourne has a key role to play in meeting the District's full local housing need.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Millwood Designer Homes [7063]

**Agent:** Savills (Laura Eacott, Graduate Planner) [8144]

**Summary:**

MDH supports the identification of a need for development in Service Villages in the north part of the plan area and considers that there is opportunity for CDC to allocate further homes within the northern area to accommodate their entire housing need.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/skj>

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

**Summary:**

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton.

**Full text:**

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

**Chapter 2: Vision & Strategic Objectives**

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

**Chapter 3: Spatial Strategy and Settlement Hierarchy**

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

**Policy S1 Spatial Development Strategy**

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

**Policy S2 Settlement Hierarchy**

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

**Chapter 4: Climate Change and the Natural Environment****Policy NE4 Strategic Wildlife Corridors**

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider

ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

#### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

#### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

### Chapter 5: Housing

#### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

#### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

#### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

#### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable',

acknowledging that viability and site-specific factors need to be taken into consideration.

## Chapter 6: Place-making

### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

## Chapter 7: Employment and Economy

### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that “approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period.” Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

## Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council’s proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE’s land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE’s control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

### Additional sites

## Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

## Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

## Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

## Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

## Change suggested by respondent:

To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
 D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
 East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
 Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
 Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
 Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Policy S2 Generally supported but further detail is required

**Full text:**

Policy S2 Generally supported but further detail is required

**Change suggested by respondent:**

The 3 lines of approach should be explained further in supporting text. For example, what is to be included in identifying setting, form and character, and what is meant by 'good accessibility'. These requirements are open to differing interpretation, unintentionally or intentionally and the plan should offer guidance as to a minimum status to be applied. Character for example will be made up of differing elements, built and undeveloped, the quality and maintenance of the public realm, existing trees or landscape structure etc.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Purpose of draft Policy S2 to reaffirm full settlement hierarchy and function of each tier, insofar as this might guide all forms of development, windfall and speculative applications not explicit in the wording of the draft policy. Recommend minor amendments for sake of clarity. Welcome spatial depiction set out in key diagram. Agree with Councils' stance on development within settlement boundaries and welcome approach that settlement boundaries must respect setting form and character of settlement.

**Full text:**

See attachment.

**Change suggested by respondent:**

Amend sentence 1 to state 'while sustaining the vitality of communities...' the location of settlements identified in table ... are shown on the key diagram'. Recommend revision of second sentence to state 'Each category within the settlement hierarchy contributes towards future growth in the plan area, with the largest levels of growth directed towards the sub-regional centre, settlement hubs outside the Manhood Peninsula and service villages located on the Key Diagram'. Recommend amending policy to ensure it is clear what quantum of development is envisaged (allocation or windfall) at each tier. Suggest removing capitalisation of 'rest' in the final paragraph.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>



**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Landowner at Champions Farm, Wisborough Green [8136]

**Agent:** Southern Planning Practice (Alice Drew, Principal Planning Consultant) [8135]

**Summary:**

Wisborough Green, as highlighted previously, is identified as a service village. This policy sets out that development requirements for service villages will be delivered through site allocations and through windfall development. Whilst we are supportive of such an approach, to ensure the planning system is genuinely plan-led, in accordance with the requirements of Paragraph 15 of the NPPF, we would like to highlight that there is a clear need to provide small to medium site allocations within service villages. Particularly in the service village of Wisborough Green where a housing number of 75 dwellings has been identified.

**Full text:**

**Summary**

Southern Planning Practice Ltd are instructed by the landowner to submit representations to the Proposed Submission version of the Chichester Local Plan 2021- 2039, published in February 2023. Shorewood Homes, a local developer, have an interest in land at Champions Farm, Wisborough Green and are currently working collaboratively with the landowner.

The site is located to the south of Newpound Lane and to the north of Billingshurst Road (A272) in Wisborough Green. The site is located within the northern area of the district and is closely related to the main urban area of Billingshurst, which is located in the neighbouring authority Horsham District Council.

It is understood that the site has not been previously promoted through the Local Plan process. We can confirm on behalf of our client that the site is now available for development.

In order for the Proposed Submission Local Plan to meet the 'positively prepared' test of soundness as required by paragraph 35 a) of the National Planning Policy Framework (NPPF), the Local Plan Review must:

"provide (ing) a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development".

Whilst the constraints of the northern area of the district are appreciated, there are several sustainable sites, outside of the National Park and other constrained landscapes, which would assist Chichester to meet their identified housing needs. One such site is the land at Champions Farm in Wisborough Green. The western section of the site could be delivered in the short-medium term and the eastern section could be delivered in the longer term which would contribute to Chichester's future housing supply.

Any new residential development on land at Champions Farm would contribute to the achievement of the 7 strategic objectives of the Local Plan and would also help to boost the housing supply in the short-medium term.

**Change suggested by respondent:**

Provide small to medium site allocations within service villages, particularly Wisborough Green.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Land at Champions Farm - Representations to CDC - <https://chichester.oc2.uk/a/sk7>

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Mr and Mis Butterfield and Waldron [7336]

**Agent:** Rodway Planning Consultancy Ltd (Mr Tim Rodway, Partner) [7335]

**Summary:**

The settlement boundary for Fishbourne should now be amended, using the Draft Plan as the mechanism for this change, to include our Client's Site. Evidently the Site adjoins the existing Settlement boundary to two sides (south and west), and with Salthill Road to the immediate east, and the A27 trunk road to the immediate north, this amendment to the Settlement boundary would effectively 'square off' the Settlement boundary. By doing so it would allow development to come forward on our Client's Site without the need for formal allocation in the new Local Plan, or Site Allocation Document, or Neighbourhood Plan. Having reviewed the Site in detail, we consider that the objectives set out in Policy S2 for amendments to the Settlement Boundary would be met in this case.

**Full text:**

See attached for full submission.

**Conclusion**

In light of all the above we contend that Site HFB0023 (Fourways) should be reconsidered for allocation for housing development in the Draft Plan. The Site is positively assessed in the HELAA, and is situated adjacent to existing housing and roads. Fishbourne is an area that is clearly suitable for new housing, as acknowledged in the Draft Plan. The Site is previously developed and provides an opportunity for new housing in a sustainable location, without encroaching onto greenfield land.

In this context the natural next step would be to add the Site to the Draft Plan as additional site allocation for residential development.

We put this Site forward with the intention to provide high quality housing in an area with an identified need. We have made it clear in the above representations that the Site is eminently available, sustainably located and can provide much needed new residential units.

The Site is unconstrained by any landscape or other planning designations. The work that has been undertaken, and the conclusions of which clearly identify that the Site is suitable for development.

In our opinion, the Draft Plan should be modified now, so as to allocate our Client's land opportunity at Fourways for residential development, which would make a notable contribution to the minimum amount of housing that Fishbourne is required to accommodate during the Plan period.

Parallel with an allocation, the Settlement Boundary should also be amended so as to encompass the entirety of our Client's land.

**Change suggested by respondent:**

Amend Fishbourne settlement boundary to include submitted site.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

## Object

**Document Element:** Policy S2 Settlement Hierarchy

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

No definition in Policy or supporting text of what each tier of hierarchy actually means; no reference to an evidence base used to justify the Policy. Extensive discussion in attachment regarding Background Paper.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

**Document Element:** Background, 4.1

**Respondent:** Mr Edward Bowring [7811]

**Summary:**

More must be done to promote renewable energy in new developments.

**Full text:**

More must be done to promote renewable energy in new developments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 4.1

**Respondent:** Mr Edward Bowring [7811]

**Summary:**

Support in principle.

**Full text:**

More must be done to promote renewable energy in new developments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 4.2

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Chichester Harbour Conservancy recognises climate change as one of the biggest threats to the AONB. Where the Conservancy may have objected to previous schemes in terms of the landscape impact, it is recognised that such a position is no longer sustainable. The Conservancy would broadly favour the installation of renewable energy measures along the east-west corridor (within a 25 year time frame), rather than turn existing farmland into housing.

**Full text:**

Chichester Harbour Conservancy recognises climate change as one of the biggest threats to the AONB. Where the Conservancy may have objected to previous schemes in terms of the landscape impact, it is recognised that such a position is no longer sustainable. The Conservancy would broadly favour the installation of renewable energy measures along the east-west corridor (within a 25 year time frame), rather than turn existing farmland into housing.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE1 Stand-alone Renewable Energy

**Respondent:** Mr Edward Bowring [7811]

**Summary:**

Renewable energy must be encouraged but not at the expense of local wildlife already at risk around chichester harbour.

**Full text:**

Renewable energy must be encouraged but not at the expense of local wildlife already at risk around chichester harbour.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE1 Stand-alone Renewable Energy

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

Support in principle

**Full text:**

An exception if there is an 'unacceptable visual intrusion'. This is too vague to be of any use as a policy. All renewable energy schemes will be unacceptable visual intrusion to someone, somewhere. I note there is no such clause when it comes to road building.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE1 Stand-alone Renewable Energy

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

An exception if there is an 'unacceptable visual intrusion'. This is too vague to be of any use as a policy. All renewable energy schemes will be unacceptable visual intrusion to someone, somewhere. I note there is no such clause when it comes to road building.

**Full text:**

An exception if there is an 'unacceptable visual intrusion'. This is too vague to be of any use as a policy. All renewable energy schemes will be unacceptable visual intrusion to someone, somewhere. I note there is no such clause when it comes to road building.

**Change suggested by respondent:**

Clarify unacceptable visual intrusion.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE1 Stand-alone Renewable Energy

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

The policy requirement for demonstrating no significant adverse impact upon landscape or townscape character is welcomed in Policy NE1 (Stand-alone Renewable Energy).

**Full text:**

See attached representation.

**Change suggested by respondent:**

We request reference is also made specifically of views in and out of the South Downs National Park.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Object

**Document Element:** Policy NE1 Stand-alone Renewable Energy

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Excellent work. Just don't go too far in making it too prescriptive - otherwise we will not make progress in terms of addressing climate change. This is the key sentence, "All development proposals for a renewable energy generation scheme should, as far as is practicable, provide for the site to be reinstated to its former condition should the development cease to be operational, though having regard to any new habitats created on the site in the interim." As long as sites can be returned to their former use, we should be encouraging renewables (almost) as much as possible.

**Full text:**

Excellent work. Just don't go too far in making it too prescriptive - otherwise we will not make progress in terms of addressing climate change. This is the key sentence, "All development proposals for a renewable energy generation scheme should, as far as is practicable, provide for the site to be reinstated to its former condition should the development cease to be operational, though having regard to any new habitats created on the site in the interim." As long as sites can be returned to their former use, we should be encouraging renewables (almost) as much as possible.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE1 Stand-alone Renewable Energy

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Excellent work - support in principle

**Full text:**

Excellent work. Just don't go too far in making it too prescriptive - otherwise we will not make progress in terms of addressing climate change. This is the key sentence, "All development proposals for a renewable energy generation scheme should, as far as is practicable, provide for the site to be reinstated to its former condition should the development cease to be operational, though having regard to any new habitats created on the site in the interim." As long as sites can be returned to their former use, we should be encouraging renewables (almost) as much as possible.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE1 Stand-alone Renewable Energy

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policy NE1.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sj>

## Support

**Document Element:** Policy NE1 Stand-alone Renewable Energy

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are pleased to see a policy encouraging renewable energy generation in a manner which protects and enhances the local environment, and is resilient to climate change in accordance with paragraph 155 of the National Planning Policy Framework.

**Full text:**

We are pleased to see a policy encouraging renewable energy generation in a manner which protects and enhances the local environment, and is resilient to climate change in accordance with paragraph 155 of the National Planning Policy Framework.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE1 Stand-alone Renewable Energy

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

In reference to policy wording 'all development proposals should take the opportunities available to provide for new or enhanced habitats within the site of the proposed development'

How can you have new and enhanced habitat sites within the proposed development when, in the majority of sites, this has turned or will turn green open space countryside land into sites covered with bricks, mortar, and tarmac?

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key

document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of “cart before the horse” thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District’s population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council’s record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to ‘Hold the Line’ vs. ‘Managed Retreat’ in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city’s ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called ‘resilient road’ with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the “most crash prone A road” in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to it long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

## Support

**Document Element:** Policy NE1 Stand-alone Renewable Energy**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]**Agent:** Savills (Mr William Price, Planner) [7783]**Summary:**

Provides ability to promote renewable energy source on or adjacent to HDA to support horticulture and functionally linked development.

**Full text:**

Provides ability to promote renewable energy source on or adjacent to HDA to support horticulture and functionally linked development.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified

**Attachments:** OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sck>  
Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sww>

## Object

**Document Element:** Policy NE1 Stand-alone Renewable Energy**Respondent:** Landlink Estates Ltd [1764]**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]**Summary:**

Policy does not comply with national policy in respect of climate change, including NPPF para 155 a) and b); Policy is negatively worded with barriers to RE development rather than positive provision proposals that recognise the significant scale of RE development required to meet net zero, or land use implications for the commitment to carbon reduction now set out in law.

There is no evidence in the totality of the published evidence base to consider renewable energy production and how this intersects with other land use policies in the plan. The plan does not identify the quantum of additional renewable energy development requirements in the plan period and how this intersects with NE3 and NE4.

**Full text:**

See attachments.

**Change suggested by respondent:**

NE1 Standalone Renewable and low carbon energy (including heat) revised policy wording in attached submission written representation document. Proposed wording includes a requirement to identify the increase in renewable energy required to meet net zero by the end of the plan period, and support for battery energy storage systems and green hydrogen.

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sjr>  
1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>  
3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>  
Email Trail - <https://chichester.oc2.uk/a/sj3>  
2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>  
4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>  
5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>  
6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>  
6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>  
8. Archaeological DBA - <https://chichester.oc2.uk/a/sj9>  
12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>  
13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>  
13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>  
13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>  
14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>  
7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>  
11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>  
9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>  
10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>  
Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>  
Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>

**Document Element:** Policy NE1 Stand-alone Renewable Energy

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England is strongly supportive of the requirement in this policy for new, stand-alone renewable energy proposals to undergo a cumulative assessment of impacts. While we are fully supportive of renewable energy schemes in general they need to be appropriate in their scale and location. Multiple applications for wind turbines or solar farms have the potential for significant impacts on protected landscapes and designated nature conservation sites.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Background, 4.7

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

"Chichester Harbour Conservancy's Chichester Harbour AONB Management Plan (the Management Plan)." This factually incorrect. It is not the Conservancy's AONB Management Plan. We prepare it on behalf of the Local Authorities, and is therefore Chichester District Council's Management Plan for Chichester Harbour. The other LAs are WSCC, HCC and HBC.

**Full text:**

"Chichester Harbour Conservancy's Chichester Harbour AONB Management Plan (the Management Plan)." This factually incorrect. It is not the Conservancy's AONB Management Plan. We prepare it on behalf of the Local Authorities, and is therefore Chichester District Council's Management Plan for Chichester Harbour. The other LAs are WSCC, HCC and HBC.

**Change suggested by respondent:**

Correct references to the Chichester Harbour AONB Management Plan to clarify that it is prepared on behalf of Local Authorities.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None



## Object

**Document Element:** Background, 4.7

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

"Chichester Harbour Conservancy's Chichester Harbour AONB Management Plan (the Management Plan)." This factually incorrect. It is not the Conservancy's AONB Management Plan. We prepare it on behalf of the Local Authorities, and is therefore Chichester District Council's Management Plan for Chichester Harbour. The other LAs are WSCC, HCC and HBC.

**Full text:**

"Chichester Harbour Conservancy's Chichester Harbour AONB Management Plan (the Management Plan)." This factually incorrect. It is not the Conservancy's AONB Management Plan. We prepare it on behalf of the Local Authorities, and is therefore Chichester District Council's Management Plan for Chichester Harbour. The other LAs are WSCC, HCC and HBC.

**Change suggested by respondent:**

Correct reference to Chichester Harbour Management Plan to clarify that it is prepared on behalf of Local Authorities.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 4.8

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

The threshold of twenty hectares is exceedingly low in proportion to the scale of most field sizes in the coastal plain. A vast swathe of the best and most versatile agricultural land could be lost without recourse to more series specialised and detailed assessment. There is a logical inconsistency between this statement and the policy advanced for Highgrove Farm, Bosham (A11) which straddles grade 1 and grade 2 agricultural land and is capable of yielding between 126 and 144 tonnes of cereal per year that's 244,800 loaves of bread according to a local seed merchant.

**Full text:**

The threshold of twenty hectares is exceedingly low in proportion to the scale of most field sizes in the coastal plain. A vast swathe of the best and most versatile agricultural land could be lost without recourse to more series specialised and detailed assessment. There is a logical inconsistency between this statement and the policy advanced for Highgrove Farm, Bosham (A11) which straddles grade 1 and grade 2 agricultural land and is capable of yielding between 126 and 144 tonnes of cereal per year that's 244,800 loaves of bread according to a local seed merchant.

**Change suggested by respondent:**

The Highgrove site at policy A11 needs to be removed from the local plan as it contradicts the statement in paragraph 4.8.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Background, 4.8

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

We welcome the ambitions of this statement. However we note that it does seem directly at odds with the delivery of 3,225 houses on greenfield sites in the east-west corridor.

**Full text:**

We welcome the ambitions of this statement. However we note that it does seem directly at odds with the delivery of 3,225 houses on greenfield sites in the east-west corridor.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqk>

## Object

**Document Element:** Background, 4.8

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

The site proposed for policy A11 is grade 1 and 2 agricultural land and productive farmland. It has been in production until last year and includes mature hedgerow at the rear boundary. Although the site is less than 20 hectares in size, it is capable of producing a variety of cereal crops.

Policy NE10 refers to development in the countryside. It states that proposals to build should be complementary to or compatible with its countryside location and does not prejudice any viable agricultural operations or other existing viable uses.

This again brings policy A11 into contradiction with the local plan.

**Full text:**

The site proposed for policy A11 is grade 1 and 2 agricultural land and productive farmland. It has been in production until last year and includes mature hedgerow at the rear boundary. Although the site is less than 20 hectares in size, it is capable of producing a variety of cereal crops.

Policy NE10 refers to development in the countryside. It states that proposals to build should be complementary to or compatible with its countryside location and does not prejudice any viable agricultural operations or other existing viable uses.

This again brings policy A11 into contradiction with the local plan.

**Change suggested by respondent:**

Policy A11 should be removed from the plan. Other policy sites that are agricultural land that has been in production should be removed from the plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Background, 4.8

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

This is a well written section. I am slightly concerned that it conflicts with A11.

**Full text:**

This is a well written section. I am slightly concerned that it conflicts with A11.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 4.8

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Nearly all our land identified in the HELAA for development is good grade agricultural land i.e. predominantly grades 1 and 2. It would not be possible to allocate sites for the remaining 156 houses without using this. Housing on large historically productive farmlands is irresponsible when we need unproductive and does nothing to protect food security.

**Full text:**

Nearly all our land identified in the HELAA for development is good grade agricultural land i.e. predominantly grades 1 and 2. It would not be possible to allocate sites for the remaining 156 houses without using this. Housing on large historically productive farmlands is irresponsible when we need unproductive and does nothing to protect food security.

**Change suggested by respondent:**

.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Background, 4.9

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

We welcome the inclusion of this paragraph. However it is important to recognise that it is not only development control within the AONB itself but the landscape context and over-development around the boundary of the AONB that cumulatively leads to threats to the integrity of the AONB landscape, setting and ecological condition. The development of 3,225 additional properties in close proximity to the AONB will have indirect impacts in terms of water quality and recreational pressure particularly.

**Full text:**

We welcome the inclusion of this paragraph. However it is important to recognise that it is not only development control within the AONB itself but the landscape context and over-development around the boundary of the AONB that cumulatively leads to threats to the integrity of the AONB landscape, setting and ecological condition. The development of 3,225 additional properties in close proximity to the AONB will have indirect impacts in terms of water quality and recreational pressure particularly.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqz>

## Support

**Document Element:** Background, 4.9

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Good to reference the AONB and NPPF.

**Full text:**

Good to reference the AONB and NPPF. However, acknowledgement of the character and setting of the protected landscape needs to go in here too.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 4.9

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Good to reference the AONB and NPPF. However, acknowledgement of the character and setting of the protected landscape needs to go in here too.

**Full text:**

Good to reference the AONB and NPPF. However, acknowledgement of the character and setting of the protected landscape needs to go in here too.

**Change suggested by respondent:**

Acknowledgement of the character and setting of the protected landscape needs to go in here too.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object****Document Element:** Policy NE2 Natural Landscape**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]**Summary:**

Stipulations are insufficiently clear to prevent the coalescence of settlements especially in the east-west corridor. They allow crowding out of open fields, margins and hedgerows that provide invaluable connections for wildlife between the South Downs National Park and the Chichester Harbour AONB.

Point 4 under policy NE2 would prohibit the change of use of the area designated under policy A11 which straddles grade 1 and grade 2 agricultural land and is capable of yielding between 126-144 tonnes of cereal per year that's 244,800 loaves of bread according to a local seed merchant. SDNPA has been consulted but not co-operated with.

**Full text:**

Stipulations are insufficiently clear to prevent the coalescence of settlements especially in the east-west corridor. They allow crowding out of open fields, margins and hedgerows that provide invaluable connections for wildlife between the South Downs National Park and the Chichester Harbour AONB.

Point 4 under policy NE2 would prohibit the change of use of the area designated under policy A11 which straddles grade 1 and grade 2 agricultural land and is capable of yielding between 126-144 tonnes of cereal per year that's 244,800 loaves of bread according to a local seed merchant. SDNPA has been consulted but not co-operated with.

**Change suggested by respondent:**

The site proposed at Policy A11 needs to be removed from the plan.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** No**Attachments:** None**Support****Document Element:** Policy NE2 Natural Landscape**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]**Summary:**

Portsmouth Water supports this policy.

**Full text:**

Portsmouth Water supports this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None**Object****Document Element:** Policy NE2 Natural Landscape**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]**Summary:**

CDC commissioned a Landscape Capacity Study to provide evidence where the landscape and visual impacts of development would be greatest, therefore to identify which areas have the greatest capacity to accommodate change without causing significant and detrimental damage to the landscapes within the plan area.

There is no reference or recognition of this in the policy or the proposed allocation of sites especially in the East/West corridor. There is land around Chichester where the landscape and visual impacts would be lower. In landscape and visual terms these sites should be selected before the release of lower capacity sites.

**Full text:**

CDC commissioned a Landscape Capacity Study to provide evidence where the landscape and visual impacts of development would be greatest, therefore to identify which areas have the greatest capacity to accommodate change without causing significant and detrimental damage to the landscapes within the plan area.

There is no reference or recognition of this in the policy or the proposed allocation of sites especially in the East/West corridor. There is land around Chichester where the landscape and visual impacts would be lower. In landscape and visual terms these sites should be selected before the release of lower capacity sites.

**Change suggested by respondent:**

As a results of the conclusions in the Landscape Capacity Study of Sub-area 91 between Bosham and Fishbourne, the proposed allocations should avoid areas of medium / low capacity, which are constrained by its rural character.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None

## Support

**Document Element:** Policy NE2 Natural Landscape  
**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

We fully support the text and wording of the policy, which must translate into active support in the planning process. The contents should be proactively supported through the delivery of the Plan itself, particularly through policies A11 Land at Highgrove Farm, Bosham 245; A13 Southbourne Broad Location for Development 1,050; A12 Nutbourne and Hambrook (Chidham and Hambrook Parish) 300

**Full text:**

We fully support the text and wording of the policy, which must translate into active support in the planning process. The contents should be proactively supported through the delivery of the Plan itself, particularly through policies A11 Land at Highgrove Farm, Bosham 245; A13 Southbourne Broad Location for Development 1,050; A12 Nutbourne and Hambrook (Chidham and Hambrook Parish) 300

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqm>

## Support

**Document Element:** Policy NE2 Natural Landscape  
**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE2, NE3, NE4, NE5, NE6, NE7, NE8, and NE10.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sjg>

## Object

**Document Element:** Policy NE2 Natural Landscape  
**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

Term 'Natural Landscapes' is unclear, and is inconsistent with the European Landscape Convention (2004) definition of landscape. For clarity in language, we recommend the references to 'natural landscapes' and 'rural character' (both in this policy and elsewhere in the Plan) be replaced with 'landscape character'. Welcome criteria 1 of Policy NE2. Note criteria 5 of this policy for the setting of the AONB and lack of an equivalent policy criteria for South Downs National Park and its setting - this is an important omission, strongly advise that an equivalent criterion is added to this policy. Second unnumbered paragraph in policy NE2 refers to identified character areas - unclear what 'identified character areas' are and where these are set out for applicants. Need for LVIA should not be limited to larger schemes, it would be appropriate for 'smaller' developments in the setting of the National Park.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Recommend references to 'natural landscapes' and 'rural character' (in policy and elsewhere in Plan) be replaced with 'landscape character'. Note criteria 5 for setting of AONB and lack of equivalent policy criteria for South Downs National Park - strongly advise that an equivalent criterion is added to this policy.

Key matters to address in NE2: Development on land that contributes to the setting of the South Downs National Park should conserve and enhance the visual and special qualities, dark night skies, tranquillity and landscape character of the National Park and its setting; Development proposals in the setting of the National Park should be sensitively located and designed, should reinforce and respond to rather than detract from the distinctive landscape character and special qualities of the National Park, should be consistent with National Park purposes and must not significantly harm the National Park or its setting; Assessment of such development proposals will also have regard to the South Downs Partnership Management Plan and South Downs Local Plan and other adopted planning documents and strategies.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Object

**Document Element:** Policy NE2 Natural Landscape  
**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

All of these in principle read positively but where is the focus upon connectivity between the harbour AONB and the SDNP? Enlarged, dedicated and fully protected Wildlife Corridors are essential for the future survival of our indigenous and migratory wildlife. Without connectivity being maintained, our record as a nation of nature destroyers will get worse still. We are not far above the list of the most offending nations in the world.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy NE2 Natural Landscape

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

We feel that Plan Policy NE2 on Natural Landscape has a too narrow wording.

**Full text:**

We feel that Plan Policy NE2 on Natural Landscape has a too narrow wording, whilst Policy NE3 on Landscape Gaps Between Settlements is overly restrictive for all sites outside of the settlement boundaries. In relation to the Plan focus on Landscape Considerations and the Chichester Landscape Capacity Study from March, 2019, we feel that development within the Boxgrove Parish, and, in particular, the 9 HELAA sites and the four settlements outlined earlier in this document, do not involve areas which are so geographically close as to prevent strategic gaps from being safeguarded, and thereby secure their individual settlement characteristics.

**Change suggested by respondent:**

A broader wording in Plan Policy NE2 and an overall re-assessment of development in Boxgrove Parish.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** March 23 Reg 19 reps Chichester District Council RHL - Final.pdf - <https://chichester.oc2.uk/a/s8z>

## Object

**Document Element:** Policy NE2 Natural Landscape

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

There is a need to introduce policy protection for key views.

Development should not be permitted in areas where important views will be lost or degraded

**Full text:**

While Policy NE2 is supported in general we believe there is a need to introduce policies to protect key views, within and across the District. Development should not be permitted in areas where important views will be lost or degraded.

Views of the Cathedral are of particular importance, as are views to and from the Downs.

Long range views from the Downs towards the sea (and vice versa) and views to the Cathedral spire contribute positively to the character and sense of place within the District, whether views are close or distant.

Development should not be permitted in areas where important views will be lost or degraded, or where a new development will intrude an appreciation of the Cathedral (and heart of the city) as being close to and linked to the surrounding countryside.

The form of the city and those links between the countryside and city centre that remain, should be protected from amorphous housing development that degrades Chichester's special form and character.

**Change suggested by respondent:**

Introduce policy protection for key views.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE2 Natural Landscape

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

Concerns that the soundness of the Plan is compromised, due to unclear drafting.

Policy heading is considered confusing. Landscape is defined (European Landscape Convention) and it includes settlements, roads and infrastructure. Plan terminology should match.

This Policy needs to equally cover contributions to the setting of the AONB and National Park (especially the North of Plan Area). Not just visually but also landscape character and perceptual qualities such as dark night skies and tranquillity.

It is unclear what the 'identified character areas' are (in relation to larger schemes) and when this part of the Policy might apply.

This Policy misses reference to key perceptual qualities and Policy NE21 fails to provide equal weight to lighting between the two Protected Landscapes.

**Full text:**

Concerns that the soundness of the Plan is compromised, due to unclear drafting. Suggested amendments below.

Natural landscape is a misnomer. Landscape is defined (European Landscape Convention) and it includes settlements, roads and infrastructure and the policy itself rightly refers to settlements. We consider this policy heading is confusing and the term 'landscape is already often misused within the Plan. Given Chichester's significant areas of Protected Landscapes and their settings, the terminology used should match those Protected Landscapes. Suggest this policy is re-worded to 'NE2 Landscape'. Point #3 "Development proposals maintain the [insert DISTINCTIVE CHARACTER] of settlements and..." This links the policy back to the evidence base.

The policy need to equally cover the setting of the AONB and National Park. The North of Plan Area includes a significant area of landscape which contributes to the setting of the National Park. Not just visually but in terms of landscape character and perceptual qualities such as dark night skies and tranquility. It is suggested that a criteria #6 is added to state: "Development proposals within the setting of the South Downs National Park should recognise its status as a landscape of the highest quality and should be landscape-led in design; sensitively located and designed to reflect this with scale and extent of development limited and designed to avoid or minimise adverse effects upon the National Park and its purposes. Proposals must comply with the South Downs Local Plan and Management Plan which are material planning considerations.

"For larger schemes in identified character areas..." - it is unclear what the 'identified character areas' are and when this part of the Policy might apply. Suggest all applications are supported by either an LVIA or LVA (Landscape Visual Appraisal - a 'light touch' LVIA). This avoids the need to specifically refer.

This policy missed reference to key perceptual qualities, highly valued aspects of landscape (See NPPF 174), particularly in the North of the Plan Area and those landscapes which contribute positively to the setting of the National Park. Suggest dark night skies and tranquillity are explicitly referenced - as Policy NE21 fails to provide equal weight to lighting between the two Protected Landscapes.

**Change suggested by respondent:**

Re-title policy 'NE2 Landscape';

Amend criteria #3 to 'Development proposals maintain the [insert distinctive character] of settlements and...' to ensure policy links to evidence base;

Addition of criteria #6 to state 'Development proposals within the setting of the South Downs National Park should recognise its status as a landscape of the highest quality and should be landscape-led in their design; sensitively located and designed to reflect this with scale and extent of development limited and designed to avoid or minimise adverse effects upon the National Park and its Purposes. Proposals must comply with the South Downs Local Plan and Management Plan which are material planning considerations';

Suggest all applications are supported by either an LVIA or LVA (Landscape Visual Appraisal - a 'light touch' LVIA) to avoid the need to specifically refer to identified character areas.

Suggest key perceptual qualities of dark night skies and tranquillity are explicitly referenced.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy NE2 Natural Landscape

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Please refer to attached document for further details.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Please refer to attached document for further details.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Policy NE2 Natural Landscape.pdf - <https://chichester.oc2.uk/a/s6v>



## Object

**Document Element:** Policy NE2 Natural Landscape

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Please refer to attached document for further details.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Please refer to attached document for further details.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Policy NE2 Natural Landscape.pdf - <https://chichester.oc2.uk/a/s6v>

## Object

**Document Element:** Policy NE2 Natural Landscape

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Premier suggest the wording of Policy NE2 (Part 5) is amended to ensure it is justified and consistent with national policy in accordance with paragraph 35 (b and c) of the NPPF.

**Full text:**

Premier acknowledges that the Chichester Harbour AONB is afforded the highest level of protection under paragraph 177 of the NPPF, where major development will not usually be permitted unless 'exceptional circumstances' development tests can be met, and where the development is in the public interest.

Premier has experience of delivering major developments within the AONB, at Chichester Marina and elsewhere in the country. It is acknowledged that development can be harmful to the AONB, however, Premier has a strong track record of delivering quality development schemes in sensitive locations. The policy approach should be consistent and no more onerous than national planning policy in relation to AONBs.

The reference in the wording of Policy NE2 to the policy aims of the 'Chichester Harbour AONB Management Plan' should be amended, given that:

1. This is not a statutory policy document; and
2. This Plan is not consistent with the NPPF.

Accordingly, Premier suggest the wording of Policy NE2 (Part 5) is amended to ensure it is justified and consistent with national policy in accordance with paragraph 35 (b and c) of the NPPF as follows:

"5) Development proposals within the setting of Chichester Harbour AONB should recognise its status as a landscape of the highest quality and should be designed to reflect this with the scale and extent of development limited consistent with the existing site and locational context, sensitively located and designed to avoid or minimise adverse impacts on the AONB in accordance with national policy. Development proposals must comply with the Chichester Harbour AONB Management Plan and the Chichester Harbour AONB Joint SPD which are material planning considerations".

**Change suggested by respondent:**

Accordingly, Premier suggest the wording of Policy NE2 (Part 5) is amended to ensure it is justified and consistent with national policy in accordance with paragraph 35 (b and c) of the NPPF as follows:

"5) Development proposals within the setting of Chichester Harbour AONB should recognise its status as a landscape of the highest quality and should be designed to reflect this with the scale and extent of development limited consistent with the existing site and locational context, sensitively located and designed to avoid or minimise adverse impacts on the AONB in accordance with national policy. Development proposals must comply with the Chichester Harbour AONB Management Plan and the Chichester Harbour AONB Joint SPD which are material planning considerations"

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxd>

**Document Element:** Policy NE2 Natural Landscape

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle

**Full text:**

Premier acknowledges that the Chichester Harbour AONB is afforded the highest level of protection under paragraph 177 of the NPPF, where major development will not usually be permitted unless 'exceptional circumstances' development tests can be met, and where the development is in the public interest.

Premier has experience of delivering major developments within the AONB, at Chichester Marina and elsewhere in the country. It is acknowledged that development can be harmful to the AONB, however, Premier has a strong track record of delivering quality development schemes in sensitive locations. The policy approach should be consistent and no more onerous than national planning policy in relation to AONBs.

The reference in the wording of Policy NE2 to the policy aims of the 'Chichester Harbour AONB Management Plan' should be amended, given that:

1. This is not a statutory policy document; and
2. This Plan is not consistent with the NPPF.

Accordingly, Premier suggest the wording of Policy NE2 (Part 5) is amended to ensure it is justified and consistent with national policy in accordance with paragraph 35 (b and c) of the NPPF as follows:

"5) Development proposals within the setting of Chichester Harbour AONB should recognise its status as a landscape of the highest quality and should be designed to reflect this with the scale and extent of development limited consistent with the existing site and locational context, sensitively located and designed to avoid or minimise adverse impacts on the AONB in accordance with national policy. Development proposals must comply with the Chichester Harbour AONB Management Plan and the Chichester Harbour AONB Joint SPD which are material planning considerations".

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxd>

## Object

**Document Element:** Policy NE2 Natural Landscape

**Respondent:** Landlink Estates Ltd [1764]

**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]

**Summary:**

Object on grounds that strategic policy must reflect the NPPF to move to a low carbon economy; the extent of what is considered a significant loss of BMV Land is not quantified; policy should refer to 20ha limit imposed by Schedule 4 paragraph (y) of the Development Management Procedure Order 2015 where Natural England are consulted; temporary loss of agricultural land for temporary uses, for example ground mounted solar farms, should be treated differently as land not lost to agriculture permanently.

**Full text:**

See attachments.

**Change suggested by respondent:**

Revised policy proposed in attached written representation and includes considerations of climate change, mitigation and adaptation to achieve net zero.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sjr>

1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>
3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>
- Email Trail - <https://chichester.oc2.uk/a/sj3>
2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>
4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>
5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>
6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>
- 6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>
8. Archaeological DBA - <https://chichester.oc2.uk/a/sj9>
12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>
- 13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>
- 13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>
- 13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>
14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>
7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>
11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>
9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>
10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>
- Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>
- Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>

**Document Element:** Policy NE2 Natural Landscape

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

The requirement for Landscape and Visual Impact Assessments (LVIAs) should more clearly articulate the need for such assessments to identify, describe and assess the likely significant effects of a project on the landscape.

The thresholds for triggering the requirement for an LVIA should be more clearly stated.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

We advise that the requirement for Landscape and Visual Impact Assessments (LVIAs) should more clearly articulate the need for such assessments to identify, describe and assess the likely significant effects of a project on the landscape (i.e. the direct and indirect change to the landscape character and the landscape condition), as well as the visual amenity and visual receptors, in accordance with Annex IV of the Environmental Impact Assessment (EIA) Directive 2014/52/EU, and NPPF 2021 para 174, rather than the current wording which simply describes the landscape “as an environmental resource.”

Further, we advise that the thresholds for triggering the requirement for an LVIA should be more clearly stated, which should include the scale of the development proposal and the sensitivity of the identified character areas.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Document Element:** Policy NE2 Natural Landscape

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England supports this policy particularly in respect of criteria 1 and 2, which seek to protect and enhance the views and distinctive landscape character in and around the coast and nationally designated sites, including Chichester Harbour AONB and South Downs National Park, and their settings.

Natural England welcome reference to our guidance on Landscape Character Areas (para 4.7) and our guidance assessments of development proposal on agricultural land (para 4.8). We welcome the requirements that development proposals must meet the criteria contained in other relevant policies on landscape.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Background, 4.10

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Situations like this should be considered as a separate issue. We would advocate that any planning application which will trigger such coalensence is refused. Particularly relevant if a gap is preserved between Southbourne Parish and Hambrook Parish this will automatically provide much better protection for the wioldlife corridor and the unique Hambrook chalk stream.

**Full text:**

Situations like this should be considered as a separate issue. We would advocate that any planning application which will trigger such coalensence is refused. Particularly relevant if a gap is preserved between Southbourne Parish and Hambrook Parish this will automatically provide much better protection for the wioldlife corridor and the unique Hambrook chalk stream.

**Change suggested by respondent:**

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**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 4.10

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

A previous strategic development allocation has potentially eroded the physical separation of Chichester and Westhampnett, but opportunity remains to ensure some separation or sense of place to be retained or re-established. Removal of land from the former allocation (Policy A9) is welcomed and supported fully but the land should be offered long term protection through a specific designation.

**Full text:**

A previous strategic development allocation has potentially eroded the physical separation of Chichester and Westhampnett, but opportunity remains to ensure some separation or sense of place to be retained or re-established. Removal of land from the former allocation (Policy A9) is welcomed and supported fully but the land should be offered long term protection through a specific designation.

**Change suggested by respondent:**

Land removed from the former strategic allocation as identified through Policy A9 should be formally designated as land unsuitable for housing development due to the material constraints applicable to it. The land should be identified as an important open area

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Background, 4.10

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

This is absolutely on the money, and one that we wholeheartedly agree with. However, this is at odds with the policy on Settlement Boundaries which allows adjacent plots of land to be deemed to developable given their proximity to the Settlement Boundary. This is one sure-fire way of causing coalescence and the suburbanisation of whole swathes of the District before there is any improvement in infrastructure.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in

contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

**Support**

**Document Element:** Background, 4.11

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement. The concept, identification and maintenance of landscape/green gaps are critical to the definition of rural villages and, quite often, serve to define the settlement boundary; WG has devoted considerable energy to defining these gaps which are clearly identified within all iterations of the NP.

**Full text:**

WGPC supports this statement. The concept, identification and maintenance of landscape/green gaps are critical to the definition of rural villages and, quite often, serve to define the settlement boundary; WG has devoted considerable energy to defining these gaps which are clearly identified within all iterations of the NP.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 4.11

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The plan does not provide sufficient long term protection for open areas that perform strategic gap functions or represent important open areas

**Full text:**

The plan does not provide sufficient long term protection for open areas that perform strategic gap functions or represent important open areas

**Change suggested by respondent:**

The strategic gap Assessment should be revisited as a matter of urgency and key gaps identified through the local plan and protected by robust policy. Land north of Madgwick Lane, Westhampnett should be so identified and included. The land is unsuitable for housing and the removal of land from allocation is supported.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 4.12

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

The strategic gap between Fishbourne and Bosham has been placed in the wrong place during the assessment as it is not a clear break between settlements. The land at Highgrove is the first clear break with open fields on either side. If development is allowed on the site proposed at policy A11 there will be no open field space between Bosham and Fishbourne.

**Full text:**

The strategic gap between Fishbourne and Bosham has been placed in the wrong place during the assessment as it is not a clear break between settlements. The land at Highgrove is the first clear break with open fields on either side. If development is allowed on the site proposed at policy A11 there will be no open field space between Bosham and Fishbourne.

**Change suggested by respondent:**

Policy A11 needs to be taken out of the plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** CHICHESTER LOCAL PLAN REVIEW 2035 LANDSCAPE CAPACITY STUDY.docx - <https://chichester.oc2.uk/a/qy>  
Gap Assessment Map Bosham and Fishbourne May 2019.docx - <https://chichester.oc2.uk/a/qp>

## Support

**Document Element:** Background, 4.12

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement.

**Full text:**

WGPC supports this statement.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

There is a logical inconsistency between this statement and the policy advanced for Highgrove Farm, Bosham (A11) as the historic separation of Fishbourne and Bosham Settlement Areas is compromised and whilst the emerging Local Plan proposes the site for development, the Bosham Parish Neighbourhood Plan specifically rejects it. Again, I think Chichester District Council are confusing the duty to consult with a duty to co-operate. As the Neighbourhood Plan has not been co-operated with, nor has the advice from SDNPA or Chichester Harbour been taken into account.

**Full text:**

There is a logical inconsistency between this statement and the policy advanced for Highgrove Farm, Bosham (A11) as the historic separation of Fishbourne and Bosham Settlement Areas is compromised and whilst the emerging Local Plan proposes the site for development, the Bosham Parish Neighbourhood Plan specifically rejects it. Again, I think Chichester District Council are confusing the duty to consult with a duty to co-operate. As the Neighbourhood Plan has not been co-operated with, nor has the advice from SDNPA or Chichester Harbour been taken into account.

**Change suggested by respondent:**

The site proposed at Policy A11 for Highgrove should be removed from the local plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

We welcome the inclusion of this policy in this iteration of the Plan. This is particularly important to protect the cohesion and identity of settlements along the A259 between Chichester and Emsworth.

**Full text:**

We welcome the inclusion of this policy in this iteration of the Plan. This is particularly important to protect the cohesion and identity of settlements along the A259 between Chichester and Emsworth.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqn>

## Support

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

The Landscape Gap Assessment should be routinely referred to when considering planning applications. Gaps need to be defined and protected.

**Full text:**

The Landscape Gap Assessment should be routinely referred to when considering planning applications. Gaps need to be defined and protected.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

This needs to be rigorously applied. The 300 homes planned for Highgrove in Bosham would remove the gap between there and Fishbourne so must be in conflict with this policy. Individual councils have little control over the settlement gaps in neighbouring parishes.

**Full text:**

This needs to be rigorously applied. The 300 homes planned for Highgrove in Bosham would remove the gap between there and Fishbourne so must be in conflict with this policy. Individual councils have little control over the settlement gaps in neighbouring parishes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Support

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE2, NE3, NE4, NE5, NE6, NE7, NE8, and NE10.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

The concept, identification and maintenance of landscape/green gaps are critical to the definition of rural villages and, quite often, serve to define the settlement boundary; WG has devoted considerable energy to defining these gaps which are clearly identified within all iterations of the NP.

**Full text:**

The concept, identification and maintenance of landscape/green gaps are critical to the definition of rural villages and, quite often, serve to define the settlement boundary; WG has devoted considerable energy to defining these gaps which are clearly identified within all iterations of the NP.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

This policy states that development will only be permitted within gaps provided that it would not diminish the physical, visual and/or perceived gaps between settlements. However, proposed allocations within the East/West corridor would not comply with this policy.

**Full text:**

This policy states that development will only be permitted within gaps provided that it would not diminish the physical, visual and/or perceived gaps between settlements. However, proposed allocations within the East/West corridor would not comply with this policy.

**Change suggested by respondent:**

Remove proposed development allocated to landscape gaps between existing settlements.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

While it is acknowledged that precise boundaries of gaps will be defined through a Site Allocations DPD or Neighbourhood Plans, the Plan should provide guidance on strategically important areas that should be included within any such designation. Land North of Madgwick Lane is a strategic gap which should be protected.

**Full text:**

While it is acknowledged that precise boundaries of gaps will be defined through a Site Allocations DPD or Neighbourhood Plans, the Plan should provide guidance on strategically important areas that should be included within any such designation. Land North of Madgwick Lane is a strategic gap which should be protected.

**Change suggested by respondent:**

The Plan should provide guidance on strategically important areas that should be included within landscape gap designations

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

This is an open ended policy with no direct applicability without a secondary policy document. The plan should either specify the gaps so one can consider to object or not

**Full text:**

This is an open ended policy with no direct applicability without a secondary policy document. The plan should either specify the gaps so one can consider to object or not

**Change suggested by respondent:**

Either show the proposed gaps or remove the policy and it is then up to NPs to have a gap policy.

If this is a strategic policy then the gaps should shown within the Plan

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

It is important for Chidham and Hambrook that the gaps between Nutbourne East and West are so defined, likewise Flatt Farm between Broad Road and Drift Lane and to the east between Chidham and Bosham. The same is true of the Highgrove site to the east of Broadbridge (north of Bosham). Our Neighbourhood Plans need to echo this very sound policy.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenities and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

Policy NE3 on Landscape Gaps Between Settlements is overly restrictive for all sites outside of the settlement boundaries. In relation to the Plan focus on landscape considerations and the Chichester Landscape Capacity Study from March 2019, we feel that development within the Boxgrove Parish and in particular, the 9 HELAA sites and the 4 settlements outlined in the attached representation, do not involve areas which are so geographically close as to prevent strategic gaps from being safeguarded and thereby secure their individual settlement characteristics.

**Full text:**

Policy NE3 on Landscape Gaps Between Settlements is overly restrictive for all sites outside of the settlement boundaries.

**Change suggested by respondent:**

Need a less restrictive policy with a focus on sites outside of settlement boundaries.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** March 23 Reg 19 reps Chichester District Council RHL - Final.pdf - <https://chichester.oc2.uk/a/s97>

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**Object**

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Reside Developments Ltd [8055]

**Agent:** Tetra Tech (Dr Chris Lyons, Director) [8054]

**Summary:**

See attached letter. Policy NE3 "Landscape Gaps between Settlements" is too broad and should be caveated that the gaps will only be protected if there is demonstrable harm. As currently written, there could be a long distance between settlements that technically diminishes the physical gap and strictly speaking could be argued to result in the perceived coalescence of settlements.

**Full text:**

See attached letter

**Change suggested by respondent:**

Policy NE3 "Landscape Gaps between Settlements" is too broad and should be caveated that the gaps will only be protected if there is demonstrable harm.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Local Plan reps (Willowbrook) redacted - <https://chichester.oc2.uk/a/sx6>

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**Object**

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

As landscape is referenced in the title of this policy, it should make reference to 'landscape character', as this should be where the 'gap evidence' is derived from. By referencing 'landscape character' it links back to Chichester's own evidence base and avoid spurious gaps being created - ensuring all gaps are identified using the same robust methodology.

**Full text:**

As landscape is referenced in the title of this policy, it should make reference to 'landscape character', as this should be where the 'gap evidence' is derived from. By referencing 'landscape character' it links back to Chichester's own evidence base and avoid spurious gaps being created - ensuring all gaps are identified using the same robust methodology.

**Change suggested by respondent:**

The policy should make reference to 'landscape character'.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Landlink Estates Ltd [1764]

**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]

**Summary:**

Object on grounds that policy not justified in relation to delivering net zero; proposed gaps not identified in plan; needs to be examination of reasonable alternatives so that plan reflects sustainability objectives; proposed landscape gaps may contain important sites for delivery of renewable energy to allow Council to reach binding net zero targets such as solar farms; no examination in the SA of the impacts of gap designations in preventing development of critical climate adaptation development.

Policy should not proceed to Regulation 20 until the compatibility with the ability of the District to achieve net zero has been demonstrated, and this is tested through the SA process.

**Full text:**

See attachments.

**Change suggested by respondent:**

Remove the policy from the plan as it has not been assessed in terms of reasonable alternatives in the sustainability appraisal and has therefore not met the requirements of The Environmental Assessment of Plans and Programmes Regulations 2004 -Regulation 12(2)b.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sjr>

1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>

3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>

Email Trail - <https://chichester.oc2.uk/a/sj3>

2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>

4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>

5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>

6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>

6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>

8. Archaeological DBA - <https://chichester.oc2.uk/a/sj9>

12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>

13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>

13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>

13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>

14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>

7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>

11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>

9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>

10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>

Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>

Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>

## Object

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Policy suggests landscape gaps are required to prevent coalescence between built up areas however, this is not always the case. There may well be other designations preventing development in these locations, therefore imposing a landscape gap is unnecessary. If landscape gaps are considered to be necessary, it is recommended these are clearly established and shown on a proposals map for clarity. The suggestion of boundaries being shown in a Site Allocations DPD would not be practical unless the document were to be made alongside the emerging Local Plan.

**Full text:**

See attached representation.

**Change suggested by respondent:**

It is recommended policy NE3 is either withdrawn or significantly re-considered with supporting maps.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

**Document Element:** Policy NE3 Landscape Gaps between settlements

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Consider this policy to be unsound due to it not being effective and not justified. Generally supportive of Policy and where it states neighbourhood plans can define precise Landscape Gaps. However, having reviewed the Landscape Gap Assessment (May 2019) it is disappointing to learn that CDC only had the south of the plan area assessed and not North of the Plan Area.

**Full text:**

See attachment.

**Change suggested by respondent:**

It should be made clear that this Policy applies to all settlements in the District including North of the Plan Area.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

**Document Element:** Background, 4.15

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

We absolutely support your policy NE4 regarding strategic wildlife corridors. But the Parish Council thinks the wildlife corridors should be expanded upon in future to be more effective and be sacrosanct and preserved in perpetuity. Natural England has advised that wildlife corridors should be 100m wide. Connectivity for wildlife should not be interrupted between the AONB of Chichester Harbour and the South Downs National Park and that connectivity is essential to the health of both of those areas.

**Full text:**

We absolutely support your policy NE4 regarding strategic wildlife corridors. But the Parish Council thinks the wildlife corridors should be expanded upon in future to be more effective and be sacrosanct and preserved in perpetuity. Natural England has advised that wildlife corridors should be 100m wide. Connectivity for wildlife should not be interrupted between the AONB of Chichester Harbour and the South Downs National Park and that connectivity is essential to the health of both of those areas.

**Change suggested by respondent:**

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**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 4.16

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

This paragraph is not sound because it fails to mention that the Habitats Regulations Assessment findings stated that a number of planned developments would have "Potential likely significant effects" on the Habitat Regulations, referring specifically to policy A14 Tangmere, which would be by far and away the largest site proposed for housing development (13% of all planned housing in the district) and this a large concentration of development at a single site could exacerbate the effects given its close proximity to the two alternative strategic wildlife corridors that have been identified..

It is a matter of common sense that wildlife don't know where the council has drawn its maps and would like to move without restrictions, so a sustainable policy would be to take the most cautious of approaches, and there are reasonable grounds to consider that the strategic wildlife corridors identified by CDC on its website (see below) are too narrow and restricted, and in conflict with the local plans to prioritise unsustainable development which may be incompatible with NE5.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

**Appendix 1: list of policies that I support**

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergency"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversity"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Cope in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"
23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

The paragraph should be amended as follows:

4.16 The council has commissioned and undertaken significant habitat surveys, data collection and evidence gathering to enable the mapping of the proposed corridors. This has enabled the council to identify hedgerows, treelines, woodland, chalk streams, ditches and rife which are used as ecological corridors by species of bats, birds and water voles. The ecological networks, in addition to high concentrations of species records and the location of priority habitats and designated sites, has enabled the council to identify seven strategic wildlife corridors which connect Chichester and Pagham Harbours with the South Downs National Park (as shown on the policies map). These corridors do not stop at the plan area boundaries and the council appreciates that no wildlife can be expected to have any regard to such corridors, and that it is appropriate to consider much wider corridors, including the entirety of the corridor between Chichester and Tangmere given that successive exercises have identified different corridors from time to time.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>

Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Background, 4.16  
**Respondent:** Mr David Akerman [5091]

**Summary:**  
 Fails to identify the necessary 8th wildlife corridor, one between the Medmerry managed retreat area (NE corner) and Pagham Harbour (RSPB facilities at The Ferry).

**Full text:**  
 Fails to identify thge necessary 8th wildlife corridor, one between the Medmerry managed retreat area (NE corner) and Pagham Harbour (RSPB facilities at The Ferry).

**Change suggested by respondent:**  
 Add an 8th wildlife corridor between the Medmerry managed retreat area (NE corner) and Pagham Harbour (RSPB facilities at The Ferry).

**Legally compliant:** No  
**Sound:** No  
**Comply with duty:** No  
**Attachments:** None

## Object

**Document Element:** Background, 4.16  
**Respondent:** Kirdford Parish Council [1875]  
**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**  
 Paragraph 4.16 of the Local Plan states that "these corridors do not stop at the plan area boundaries" however it fails to mention that the corridors do stop before reaching the North of the Plan Area boundary.

**Full text:**  
 See attachment.

**Change suggested by respondent:**  
 -

**Legally compliant:** No  
**Sound:** No  
**Comply with duty:** No  
**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

**Document Element:** Background, 4.18  
**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**  
 The 'strategic wildlife corridors' referred to are in fact small scale local ones that connect along very small chalk streams of undoubted ecological value including millstreams, but their width and length touching upon the boundaries of SDNP and CHAONB but not interpenetrating them suggests a minimalist approach. When neighbouring Arun are contemplating a wildlife corridor stretching from Clymping Beach to the Ashdown Forest ("Weald to Waves"), the ambition of the CDC plan appears paltry. On one site (Highgrove) the Sussex Biodiversity Record lists in excess of one hundred bird species records alone.

**Full text:**  
 The 'strategic wildlife corridors' referred to are in fact small scale local ones that connect along very small chalk streams of undoubted ecological value including millstreams, but their width and length touching upon the boundaries of SDNP and CHAONB but not interpenetrating them suggests a minimalist approach. When neighbouring Arun are contemplating a wildlife corridor stretching from Clymping Beach to the Ashdown Forest ("Weald to Waves"), the ambition of the CDC plan appears paltry. On one site (Highgrove) the Sussex Biodiversity Record lists in excess of one hundred bird species records alone.

**Change suggested by respondent:**  
 The proposed site at Highgrove in policy A11 needs to be removed from the local plan.

**Legally compliant:** Yes  
**Sound:** No  
**Comply with duty:** No  
**Attachments:** None



## Object

**Document Element:** Background, 4.18

**Respondent:** Gleeson Land (Mr Dominick Veasey, Planning Manager) [7915]

**Summary:**

The wording as drafted fails the NPPF soundness tests, on the basis that: (a) Ecology-led masterplanning can ensure development is accommodated within the SWCs while fully maintaining the functional elements of the corridors; (2) The policy as drafted is also wholly inconsistent within NPPF paragraph 180, it that it only provides for development avoidance measures within the SWCs; and (3) The 'integrity' test element of the policy relates to undertaking Appropriate Assessments. The protection afforded within the policy wording must be proportionate to the locally important status of the designation.

**Full text:**

The wording as drafted fails the NPPF soundness tests, on the basis that: (a) Ecology-led masterplanning can ensure development is accommodated within the SWCs while fully maintaining the functional elements of the corridors; (2) The policy as drafted is also wholly inconsistent within NPPF paragraph 180, it that it only provides for development avoidance measures within the SWCs; and (3) The 'integrity' test element of the policy relates to undertaking Appropriate Assessments. The protection afforded within the policy wording must be proportionate to the locally important status of the designation.

**Change suggested by respondent:**

Text change to paragraph 4.18:

The Council will apply an additional layer of planning restraint to the countryside protection policies within these strategic wildlife corridors to ensure that connectivity between the South Downs National Park and the Chichester Harbour AONB and Pagham Harbour is maintain in the long term. If a significant adverse impact on the function of the corridor resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then it will not be permitted.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Policy\_NE4\_Gleeson\_Land.pdf - <https://chichester.oc2.uk/a/sc5>

## Object

**Document Element:** Background, 4.18

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

It is unfortunate that paragraph 4.18 of the proposed plan does not read clearly.

**Full text:**

See attachment.

**Change suggested by respondent:**

Bellway question whether para 4.18 should state 'it will be necessary to demonstrate that land within the corridors will not be available for development. Land outside of the corridors will need to demonstrate that it will not have an adverse impact on the integrity of the corridor?'

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Mr Edward Bowring [7811]

**Summary:**

The limited wildlife corridors are integral to the local environment and should be protected at all cost.

**Full text:**

The limited wildlife corridors are integral to the local environment and should be protected at all cost.

**Change suggested by respondent:**

The limited wildlife corridors are integral to the local environment and should be protected at all cost.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Dr Carolyn Cobbold [6612]

**Summary:**

No wildlife corridors have been assessed or included between the area's three important wetland areas, Chichester Harbour, Medmerry and Pagham Harbour presumably because no large housing allocations have been made for the Manhood Peninsula. But it is important to acknowledge the importance of maintaining strong connectivity between the wetland areas and maintaining the capacity to expand wetland provision on the Manhood as rising sea levels will reduce the existing wetland areas.

**Full text:**

No wildlife corridors have been assessed or included between the area's three important wetland areas, Chichester Harbour, Medmerry and Pagham Harbour presumably because no large housing allocations have been made for the Manhood Peninsula. But it is important to acknowledge the importance of maintain strong connectivity between the wetland areas and maintain the capacity to expand wetland provision on the Manhood as rising sea levels will reduce the existing wetland areas.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Dr Carolyn Cobbold [6612]

**Summary:**

Support in principle

**Full text:**

No wildlife corridors have been assessed or included between the area's three important wetland areas, Chichester Harbour, Medmerry and Pagham Harbour presumably because no large housing allocations have been made for the Manhood Peninsula. But it is important to acknowledge the importance of maintain strong connectivity between the wetland areas and maintain the capacity to expand wetland provision on the Manhood as rising sea levels will reduce the existing wetland areas.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy.

**Full text:**

WGPC supports this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Fully support this but it must be applied rigorously. Too often developers will produce totally inadequate environmental reports which do not reflect the wildlife within the corridor. If development is allowed in a corridor it cannot enhance it. Nature in this country is depleting. Wildlife corridors have been identified which is commendable, so they should be protected at all costs.

**Full text:**

Fully support this but it must be applied rigorously. Too often developers will produce totally inadequate environmental reports which do not reflect the wildlife within the corridor. If development is allowed in a corridor it cannot enhance it. Nature in this country is depleting. Wildlife corridors have been identified which is commendable, so they should be protected at all costs.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Northgate Properties Ltd [8108]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

Strategic wildlife corridor background paper and technical consultation document not updated;

Unclear whether ecological interest has changed; surveys usually required to be updated after 18 months.

Question whether extent and location of proposed wildlife corridors is justified;

Proposed wording of policy goes beyond its safeguarding purpose;

Policy Test 1 (sequential test for sites outside a corridor) is redundant as is in conflict with underlying policy purpose and should be deleted;

Development outside wildlife corridor should not be subject to policy requirements; close proximity is vague and introduces uncertainty; second part of the policy should also be deleted.

**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. A question could be raised over the legality of the Regulation 19 Plan as it has not been reviewed within 5 years of the last Plan, which was adopted in July 2015. On the Council's own admission the current Regulation 19 Local Plan fails to meet objectively assessed need (OAN) of 638 dpa outside the national park. However, without any properly evidenced 'duty to cooperate' statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

We support the local authority in its attempts to navigate what is a challenging situation in relation to housing delivery within the district, however at this stage we believe the Plan, as drafted, fails to meet the 'positively prepared', 'effective', and 'consistent with national policy' tests and therefore could be interpreted as unsound.

In a bid to assist the process, we have collated our thoughts on how the Regulation 19 Local Plan could be improved below.

**Local Plan Policies**

These comments deal with the proposed Spatial Strategy (Policy S1) Settlement Hierarchy (S2), policies H1, H2 H3 and NE4. We also propose a new policy H4.

**Policy S1- Spatial Strategy**

Policy S1 deals with the spatial strategy of the plan. It has been informed by the role of each settlement within a hierarchy based on its facilities and services.

We agree that the spatial strategy for delivering growth and development should focus on Chichester city as the main sub-regional centre and most sustainable location with a wide range of services and facilities. However, there are self-evident constraints to further strategic scale development at the settlement itself because of its historic setting, the A27 to the south and east, the harbour AONB to the west and the national park in the north. Focusing growth close to the city would however still reinforce its role as a sub-regional centre and locating a significant proportion of development in or around Chichester city ahead of the second tier settlement hubs would reduce the need to travel to facilities and deliver sustainable development.

**Policy S2 – Settlement Hierarchy**

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is

there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

#### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

As indicated earlier, without any properly evidenced 'duty to cooperate' statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

#### Policy H2 – Strategic Site Allocations and Policy H3 – Non-Strategic Parish Allocations

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

#### Longer Term Growth Requirements

Paragraph 22 of the NPPF says strategic policies should look ahead over a minimum 15-year period from the date of the adoption of a plan to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. This justifies the proposed end date of the Plan of 2039. However, the NPPF goes on to state that where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.

Paragraphs 5.11-5.14 of the draft Plan says although its focus is on the development needs of the plan area up to 2039, some initial consideration has been given to the concept of a new settlement to accommodate potential longer term growth needs. This arises from some reservations about whether it will be appropriate in the longer term to continue to rely on existing sources of supply (e.g. urban extensions and urban intensification).

We agree that a new settlement would have a valuable role to play in meeting future housing need of the district and support the lower-case policy text of the Plan at paragraphs 5.11-14. However, bearing in mind the national policy guidance for a 30 year or so vision to allow for the planning and site identification for a new settlement, we see no reason why that part of the lower-case text at paragraph 5.14 of the Regulation 19 Plan should not be elevated into actual Plan policy. Such an approach would deliver benefits to the plan anyway in offering a 'land supply reserve' in the event the Examiner for the Local Plan finds that it should meet OAN in accordance with the 'positively prepared' test. If a new settlement is needed to contribute to OAN, it would then form part of the development strategy of the Plan and justify the policy in principle.

We therefore propose a new Policy H4 – A New Settlement as set out in section 6 below.

#### Policy NE4 – Strategic Wildlife Corridors

The Council produced a Strategic Wildlife Corridor background paper in December 2018 and another technical consultation document in July 2021. Neither document has been updated for the present Regulation 19 Local Plan. It is unclear therefore whether the ecological interest has changed and whether it can still inform the extent and location of the defined wildlife corridors in the current Plan. We say this on the basis that standard habitat surveys are usually required to be reviewed and updated after 18 months.

Paragraph 179(a) of the NPPF sets out policy to protect and enhance biodiversity and geodiversity and states that Plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national, and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them.

We therefore agree that the identification of wildlife corridors in the emerging Plan is consistent with national policy but without any up to date proportionate evidence of biodiversity interest we would question whether their extent and location as shown on the relevant proposals maps have been justified.

As it stands, the wording of Policy NE4 also goes beyond the purpose of the policy which is the 'safeguarding of wildlife rich habitats and wider ecological networks'.

Policy NE4 states development will only be permitted where it would not lead to an adverse effect upon the ecological value, function, integrity, and connectivity of the strategic wildlife corridors. It does not resist development in principle and so long as impacts can be adequately mitigated it should be granted.

This policy principle therefore makes redundant policy test 1 which introduces a sequential test for preferable sites outside a corridor. The test is in conflict with the underlying purpose of the policy which is to safeguard wildlife corridors from adverse harmful impacts that cannot be mitigated. Test 1 should therefore be deleted.

Development outside or in close proximity to a wildlife corridor should not be subject to the policy requirements of NE4 either and the designation should end at its boundary. 'Close proximity' is vague and would introduce uncertainty to the policy. If development does not undermine the connectivity and ecological value of the corridor, then there is no proper basis for the policy restriction on such development. We therefore propose the deletion of the second part of the policy as well.

#### Change suggested by respondent:

To ensure the Plan meets the 'justified' test and the requirements of the NPPF paragraph 179(a) we propose the following wording changes to Policy NE4:

#### Policy NE4

Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

- 1) The development will not have an adverse impact on the integrity and function of the wildlife corridor and protects and enhances its features and habitats;
- 2) The proposal will not undermine the connectivity and ecological value of the corridor and take opportunities to enhance those corridors.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Northgate Final - <https://chichester.oc2.uk/a/sf9>

## Support

**Document Element:** Policy NE4 Strategic Wildlife Corridors  
**Respondent:** The Goodwood Estates Company Limited [7922]  
**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Development proposals within or adjacent to defined corridors should not be determined by a strict interpretation of corridor boundaries as shown on the proposals map, but by detailed assessment 'on the ground' both of the development site itself and that immediately adjoining, to avoid undermining connectivity and ecological value. The Estate will work with CDC and SDNPA to ensure the delivery of beneficial wildlife corridors and welcomes the opportunity to define their precise location, width and alignment. Corridors defined in principle on Map NE4b are supported subject to detailed discussion around boundary definition as it appears 'on the ground'

**Full text:**

Development proposals within or adjacent to defined corridors should not be determined by a strict interpretation of corridor boundaries as shown on the proposals map, but by detailed assessment 'on the ground' both of the development site itself and that immediately adjoining, to avoid undermining connectivity and ecological value. The Estate will work with CDC and SDNPA to ensure the delivery of beneficial wildlife corridors and welcomes the opportunity to define their precise location, width and alignment. Corridors defined in principle on Map NE4b are supported subject to detailed discussion around boundary definition as it appears 'on the ground'

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Support

**Document Element:** Policy NE4 Strategic Wildlife Corridors  
**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE2, NE3, NE4, NE5, NE6, NE7, NE8, and NE10.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sjg>

## Support

**Document Element:** Policy NE4 Strategic Wildlife Corridors  
**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

We wholeheartedly support this but wildlife corridors MUST be adhered to and protected. ANY development would have an adverse effect and undermine connectivity and the ecological value of the corridor. We cannot support any significant development.

**Full text:**

We wholeheartedly support this but wildlife corridors MUST be adhered to and protected. ANY development would have an adverse effect and undermine connectivity and the ecological value of the corridor. We cannot support any significant development.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors  
**Respondent:** Chichester Grain Ltd [7394]  
**Agent:** Henry Adams Planning Ltd (Ms Ellie White) [7536]

**Summary:**

Policy NE4 introduces wildlife corridors, which could be accepted however, the supporting policy maps should be amended and the wording of the policy updated to reflect flexibility to allow appropriate breaks in the corridor for those areas that are of low ecological value, such as our Client's land.

**Full text:**

1 Introduction  
 1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Chichester Grain. The submission covers the general principles of the Local Plan but has a focus on Land at Chichester Grain Stores, Hambrook, Southbourne. The land is shown on the attached plan HA Appendix 1: Site Location Plan, and hereafter referred to as 'the site'.  
 1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.  
 2 Comments on Specific Questions/Tests  
 2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions and is the

final consultation phase before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Local Plan or at least through the allocation of numbers to the Parish, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1: Spatial Strategy, sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1: Meeting Housing Needs sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

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2.5 The SA discusses the potential growth scenarios and confirms two points:

(i) Standard method housing figure for Chichester (excluding South Downs National Park) is 638 dwellings per annum, or 11,484 in total over the Plan period; and

(ii) The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa).

2.6 Of particular note is that point ii. seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. It should be noted here that the 435 dpa figure within the 2015 Local Plan was below the identified need of 505 dpa. This reduced housing figure was accepted on the basis of an early review, but this early review did not take place.

2.7 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan figure, amounting to 575 dpa. This is lower than both the standard method figure of 638 dpa and the previously consulted Preferred Approach figure of 650 dpa which accommodated some unmet need from the South Downs National Park Authority.

2.8 This draft Local Plan seeks to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network and constraints on Waste Water Treatment Works. The Council therefore arrive at a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

2.9 The Transport Study (January 2023) is the key document on which the Council rely to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study notes that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works.

2.10 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure in the Transport Study, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF, do not appear to exist and the Plan could be considered unsound on this point alone.

2.11 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need. This is

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of relevance given that the previous Local Plan underprovided against the OAN, and when considering the scale of development expected for adjoining authorities, including the highly constrained SDNP. 2.12 Given that it is not accepted that the A27 capacity matters present a ceiling in terms of housing delivery, it is not accepted that the Plan and associated SA demonstrate that reasonable alternatives have been considered. The plan is not therefore positively prepared, nor is the approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 One further concern is that the Plan relies on the delivery of Neighbourhood Plan and/or Small Site Allocations DPD. In terms of delivery, Policy H3: Non-Strategic Housing Policy Requirements 2021-2039, states the following:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above does not provide any clear timetable for commencement of a DPD and thus is not considered to be an effective approach to housing delivery.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify the alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

3 Duty to Cooperate

3.1 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

3.2 The draft Plan does not address any need requirements in relation to unmet housing need of neighbouring authorities. Nor does it contain evidence to suggest that these matters have been discussed with the adjoining Authorities.

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3.3 The housing figures presented do not account for unmet need from the South Downs National Park Authority. Whilst a Statement of Common Ground has been referred to, it has not been published and therefore it is not possible to determine whether the decision not to make any provision for the National Park is sound.

3.4 Further, Arun District Council has confirmed that it will be objecting to the Plan as currently proposed on the basis that it has a significant housing need. This is likely to be further influenced by Chichester not meeting its own needs, a repeat of the 2015 situation which resulted in Arun having to address some of this within its 2018 Local Plan.

3.5 If the Plan is to proceed on the basis of providing 575dpa as per Policy H1, this will amount to a shortfall of 1,100 dwellings over the plan period. Without any Statements of Common Ground, it is unclear as to how this shortfall will be addressed.

4 The Site and its suitability

4.1 Our client's site is well placed to accommodate any additional numbers required and offers a distinctively different scale of development to that proposed in the single large site allocation. It can also be delivered, whilst protecting this part of Southbourne, but also Hambrook to which is more readily relates.

4.2 The development of this land would provide a number of benefits;

☑ The development would include a mix of high-quality homes, including affordable to meet the varying needs of the community;

☑ The site is well-connected to local services and facilities, within walking distance of the post office, train station and employment;

☑ It would support the viability of local services and facilities;

☑ The site is not subject to any environmental designations or constraints and its development would not impact the South Downs National Park or Chichester Harbour AONB;

☑ Retention of existing boundary treatments alongside the provision of additional landscape features and open space will ensure net biodiversity gain and greater access to public open space;

☑ Retention of the trees and mature boundary hedgerows, particularly on the frontage to Priors Leaze Lane will retain the rural setting;

☒ The site is not constrained and does not rely upon significant infrastructure improvements in respect of delivery. It will ensure that where required, contributions will be made to ensure sufficient capacity is maintained for local facilities.

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#### 5 Other Policy Considerations

5.1 Policy NE4 Strategic Wildlife Corridor – object Policy NE4 states that ‘Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

1. There are no sequentially preferable sites available outside the wildlife corridor; and
2. The development will not have an adverse impact on the integrity and function of the wildlife corridor and protects and enhances its features and habitats.’

5.2 We are of the view that our clients land has development potential and could be well placed to assist in the delivery of additional housing number required within the draft Local Plan and are of the view that the blanket wildlife corridor is quite extensive and should be reduced in size. Representations were also submitted to this effect to the Southbourne Neighbourhood Plan Regulation 16 Consultation.

5.3 We acknowledge the importance of the protection of wildlife generally, and the local eco-systems, however, this submission is supported by an Ecological survey which confirms that our site should not be covered by a Wildlife Corridor to the extent currently proposed. The Wildlife Corridor should be reduced to the immediate site and not as currently proposed under Policy NE4.

5.4 The land at Chichester Grain lies adjacent to the Ham Brook Chalk Stream. The draft Local Plan introduces a Wildlife Corridor along this section of stream. It is our view that the proposed extent of the wildlife corridor is excessive and should be reduced. It is also our view that the wildlife corridor could accommodate a break to provide a means of access to our client’s site, without harming the purposes of the corridor.

5.5 The recommendations of the report are to reduce the scale of the wildlife corridor and also ensure policy flexibility to allow access through these areas and appropriate requirements to enhance and mitigate against any proposed development.

5.6 In terms of the details of the site, habitats present within the site area are of low ecological value. It is noted that there are sites with intrinsic nature conservation value within the area, however, there are suitable mitigation and compensation methods which could protect these habitats.

5.7 The mitigation methods that could be proposed to remove any significant harm to ecological value of the land (which is low as existing), comprise:

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- ☒ Provision for CEMP for any proposed development;
- ☒ Retained habitats on site borders should be enhanced;
- ☒ Provision for an ecologically sensitive lighting scheme;
- ☒ Use of bird boxes within any proposed development; and
- ☒ Inclusion of Hedgehog Highways.

5.8 As shown, the land at Chichester Grain is of low ecological value, and should not be included, to the extent currently proposed, as a wildlife corridor within Policy NE4. The Council is further applying yet another restrictive ‘additional layer of planning restraint’ in a District which is already highly constrained by for example, AONB, National Park, numerous ecological designations, Local Nature Reserves/National Nature Reserves, Water Neutrality and Nutrient Neutrality.

5.9 Furthermore, we have set out mitigation methods which could be applied to any forthcoming application or allocation of the land, which would enhance the ecological value of the site, and protect the intrinsic value of the sites within the locality.

#### 6 Conclusion

6.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, this is significantly lower than the standard method figure of 638 and previously consulted figure of 650 dpa. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa scenario plus some additional mitigation at the Portfield roundabout.

6.2 The Council do not appear to have considered that the increased housing requirement could assist with funding the necessary highway improvements and thus this should be further reviewed by the Council in order to aim to meet the minimum of 638 dpa.

6.3 The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the National Park.

6.4 Policy NE4 introduces wildlife corridors, which could be accepted however, the supporting policy maps should be amended and the wording of the policy updated to reflect flexibility to allow appropriate breaks in the corridor for those areas that are of low ecological value, such as our Client’s land.

#### Change suggested by respondent:

Supporting policy maps should be amended and the wording of the policy updated to reflect flexibility to allow appropriate breaks in the corridor for those areas that are of low ecological value, such as proposed site.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sh7>

Preliminary Ecological Appraisal - <https://chichester.oc2.uk/a/sh8>

**Support**

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]

#### Summary:

Portsmouth Water support this policy.

#### Full text:

Portsmouth Water support this policy.

#### Change suggested by respondent:

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE4 Strategic Wildlife Corridors  
**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Support in principle.

**Full text:**

With two Wildlife corridors within Southbourne Parish boundaries we very much support their creation and safe guarding. The only caveat to this is that the newly included Nutbourne to Hambrook corridor is NOT wide enough at its northern end, missing out major water vole networks.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** Southbourne Biodiversity Map.pdf - <https://chichester.oc2.uk/a/sth>  
 CDCSouthbourne\_Biodiversity\_Map\_2020 A2 (1).pdf - <https://chichester.oc2.uk/a/stx>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors  
**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT supports CDC's decision to identify and map Strategic Wildlife Corridors although objects to policy on grounds that following further consultation on the Strategic Wildlife Corridors in 2021, there is a narrowing of the Pagham to Westhampnett Strategic Wildlife Corridor around the location of the proposed allocation of A8, Land East of Chichester - no information presented by CDC prior to Regulation 19 consultation or within draft Plan that provides justification for the narrowing. CDC to provide justification for amendment given previous submission of evidence and confirm if further amendments have been made to Strategic Wildlife Corridor network since 2021 consultation. Environment Act 2021 will require production of a Nature Recovery Network/Local Nature Recovery Strategy. Strategic Wildlife Corridors will be integral components of that local network (see NPPG Paragraph: 012). Other policies interact or overlay with the Strategic Wildlife Corridors; ie. Policy E3 Addressing Horticultural Needs. Suggest Policy NE4 makes it clear that not only should development protect and enhance features of Strategic Wildlife Corridors, but that it should also seek to restore them as per 179 of the NPPF 2021. Unclear what the definition of a sequentially preferable site is - CDC should clarify this.

**Full text:**

See attached representation.

**Change suggested by respondent:**

SWT proposes an amendment to policy bullet point 2:

2. The development will not have an adverse impact on the integrity and function of the wildlife corridor and protects, enhances and restores its features and habitats.

**Legally compliant:** Not specified  
**Sound:** No  
**Comply with duty:** Not specified  
**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy NE4 Strategic Wildlife Corridors  
**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

We very much welcome and support the inclusion into policy of the strategic wildlife corridors which traverse the district connecting the two protected landscapes of the Chichester Harbour AONB and the South Downs National Park. The wording of this policy seeking to protect the integrity, function, connectivity and ecological value of the corridor are important for the effectiveness of the policy and are strongly supported. The final criteria regarding taking opportunities to extend and enhance the corridors is positive and will help support nature recovery.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>



## Support

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

We welcome the inclusion of the policy on strategic wildlife corridors, although would prefer that these were safeguarded to prevent any development in these designated areas. We feel that the policy, and indeed the corridors themselves, lack ambition and would benefit from being further strengthened to emphasise their importance in connecting the protected landscapes and habitats of Chichester Harbour and the South Downs. In addition it is not clear from the policy changes map whether or how the proposed corridors have changed since the last consultation in 2018/19.

**Full text:**

We welcome the inclusion of the policy on strategic wildlife corridors, although would prefer that these were safeguarded to prevent any development in these designated areas. We feel that the policy, and indeed the corridors themselves, lack ambition and would benefit from being further strengthened to emphasise their importance in connecting the protected landscapes and habitats of Chichester Harbour and the South Downs. In addition it is not clear from the policy changes map whether or how the proposed corridors have changed since the last consultation in 2018/19.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqy>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Gleeson Strategic Land (Mr Peter Rawlinson, Strategic Planner) [855]

**Summary:**

The requirement to demonstrate there are no "sequentially preferable" sites available outside a SWC and that any proposed development would not have a significant adverse impact on the "integrity" and function of a corridor as a whole, should be removed, because:

- The policy as worded conflicts with the requirements of Paragraph 180 of the NPPF; and
- An "integrity" test relates to paragraph 182 of the NPPF and the assessment of effects on SPAs/SACs/Ramsar sites in the context of an Appropriate Assessment, it is not appropriate for SWCs, which are a lower level of local designation.

**Full text:**

## d) Strategic Wildlife Corridors

2.36 Draft Policy NE4 proposes the introduction of Strategic Wildlife Corridors (SWC), with consideration of the locations and rationale for these as set out in the Strategic Wildlife Corridors Local Plan Review Background Paper (December 2018). The 4no. identified corridors seek to provide ecological connectivity between Chichester Harbour SPA or Pagham Harbour SPA and the South Downs National Park.

2.37 These Representations are accompanied by a 'Review of Policy NE4' prepared by Aspect Ecology (Appendix A), which reviews the proposed Wildlife Corridors, with specific reference to the West of Chichester to Fishbourne Strategic Wildlife Corridor (SWC4) that is partly located within Gleeson's Site at Land West of Clay Lane, Fishbourne.

2.38 As detailed in the accompanying Ecology Technical Note prepared by Aspect Ecology:

- The SWCs appear to avoid areas of intensively farmed arable land, with areas of built development and urban areas preferentially incorporated over arable land. Thereby acknowledging that residential areas often retain functional habitat for wildlife, particularly within green infrastructure, and can readily meet the requirements of the Strategic Wildlife Corridors in terms of ensuring ecological connectivity is maintained for wildlife through the landscape;
- Residential development can contribute positively to the function of the corridors particularly where key habitats are retained and green infrastructure is included;
- Subject to a sensitive ecologically led masterplan, development can be accommodated whilst fully maintaining the functional elements of the corridor. Appropriate development could bring forward considerable benefits to biodiversity through securement of long-term favourable management; and
- There exists an opportunity to extend SWC4 to the east of the A27 to strengthen the ecological network.

2.39 Further, the Ecology Technical Note proposes changes to the wording of Policy NE4, which we consider necessary for soundness - specifically the removal of the requirement to demonstrate there are no "sequentially preferable" sites available outside a SWC and that any proposed development would not have a significant adverse impact on the "integrity" and function of a corridor as a whole. This is due to:

- Sensitive development can positively contribute to the objectives of SWCs;
- The policy as worded conflicts with the requirements of Paragraph 180 of the NPPF noting that avoidance measures (including consideration of alternative sites) are not required if significant harm to biodiversity is avoided; and
- An "integrity" test relates to paragraph 182 of the NPPF and the assessment of effects on SPAs/SACs/Ramsar sites in the context of an Appropriate Assessment, it is not appropriate for SWCs, which are a lower level of local designation. The wording of the policy should reflect the protection afforded to be proportionate to their designation status.

2.40 It is our view the sequential test should only be applied in circumstances where the NPPF advocates for this, i.e. cases relating to Flood Risk, Town Centre uses and where there is significant harm to biodiversity resulting from development which cannot be avoided, adequately mitigated or compensated for (which as reflected above is not the case for any development in the SWC).

2.41 Policy NE4 as drafted is considered not to be "sound" on the basis it is not positively prepared, not justified, not consistent with national policy and would not lead to an effective strategy for growth (i.e. suppressing development on potentially suitable sites). Policy NE4 should be amended to more accurately reflect the objectives and role of the SWC, with our proposed wording:

Development proposals will only be permitted where it would not lead to a significant adverse effect upon the ecological value, function and connectivity of the strategic wildlife corridors.

Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

1. The development will not have a significant adverse impact on the function of the wildlife corridor and protects and enhances its features and habitats.
2. The proposal will not undermine the connectivity and ecological value of the corridor.

Development proposals outside, but in close proximity to the strategic wildlife corridor will be acceptable where it can be demonstrated that:

- a) The development will not have a significant adverse impact on the function of the wildlife corridor; and
- b) The proposal will not undermine the connectivity and ecological value of the corridor.

All proposals for new development (with the exception of householder applications) within or in close proximity to wildlife corridors should take opportunities available in order to extend or enhance those corridors.'

2.42 In addition, the supporting text at paragraph 4.18 should be amended to refer to the function of the corridor not the integrity as set out above in relation to NPPF paragraph 182. The revised text should read:

4.18 The Council will apply an additional layer of planning restraint to the countryside protection policies within these strategic wildlife corridors to ensure that connectivity between the South Downs National Park and the Chichester Harbour AONB and Padgham Harbour is maintain in the long term. Within the corridors it will be necessary to demonstrate that no land outside of the corridor is available for development and the development will not have an If a significant adverse impact on the function of the corridor resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then it will not be permitted.

**Change suggested by respondent:**

Policy NE4 should be revised to the following text:

Development proposals will only be permitted where it would not lead to a significant adverse effect upon the ecological value, function and connectivity of the strategic wildlife corridors.

Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

1. The development will not have a significant adverse impact on the function of the wildlife corridor and protects and enhances its features and habitats.
2. The proposal will not undermine the connectivity and ecological value of the corridor.

Development proposals outside, but in close proximity to the strategic wildlife corridor will be acceptable where it can be demonstrated that:

- a) The development will not have a significant adverse impact on the function of the wildlife corridor; and
- b) The proposal will not undermine the connectivity and ecological value of the corridor.

All proposals for new development (with the exception of householder applications) within or in close proximity to wildlife corridors should take opportunities available in order to extend or enhance those corridors.'

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Appendix A - Wildlife Corridor Technical Note.pdf - <https://chichester.oc2.uk/a/scm>  
Written Representation - <https://chichester.oc2.uk/a/syb>

**Support**

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

The Woodland Trust strongly supports this policy which is a practical measure to deliver the emerging statutory requirements for Local Nature Recovery Strategies and Biodiversity Net Gain.

To be effective, the Strategic Wildlife Corridors must be protected with buffer zones and their connectivity must be protected in site allocations and individual planning applications. All ancient, veteran and notable trees within the Strategic Wildlife Corridors should have root protection areas defined and protected, in line with the draft Policy NE8 point 5.

**Full text:**

The Woodland Trust strongly supports this policy which is a practical measure to deliver the emerging statutory requirements for Local Nature Recovery Strategies and Biodiversity Net Gain.

To be effective, the Strategic Wildlife Corridors must be protected with buffer zones and their connectivity must be protected in site allocations and individual planning applications. All ancient, veteran and notable trees within the Strategic Wildlife Corridors should have root protection areas defined and protected, in line with the draft Policy NE8 point 5.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object**

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Whilst the Conservancy cannot Object to the Wildlife Corridors, it is really disappointing that they are not more ambitious with greater geographical coverage. Given that the Council has set the parameters for considering future development proposals therein NE4, there was no need to restrict them in quite such a way. Where are the east-west links? Where are the corridors across the Manhood Peninsula, connecting Pagham Harbour, Medmerry and Chichester Harbour? What is proposed is a starter for 10, but we living in a biodiversity crisis, so I think we needed a bit more coverage than the proposed.

**Full text:**

Whilst the Conservancy cannot Object to the Wildlife Corridors, it is really disappointing that they are not more ambitious with greater geographical coverage. Given that the Council has set the parameters for considering future development proposals therein NE4, there was no need to restrict them in quite such a way. Where are the east-west links? Where are the corridors across the Manhood Peninsula, connecting Pagham Harbour, Medmerry and Chichester Harbour? What is proposed is a starter for 10, but we living in a biodiversity crisis, so I think we needed a bit more coverage than the proposed.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Support in principle

**Full text:**

Whilst the Conservancy cannot Object to the Wildlife Corridors, it is really disappointing that they are not more ambitious with greater geographical coverage. Given that the Council has set the parameters for considering future development proposals therein NE4, there was no need to restrict them in quite such a way. Where are the east-west links? Where are the corridors across the Manhood Peninsula, connecting Pagham Harbour, Medmerry and Chichester Harbour? What is proposed is a starter for 10, but we living in a biodiversity crisis, so I think we needed a bit more coverage than the proposed.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Reside Developments Ltd [8055]

**Agent:** Tetra Tech (Dr Chris Lyons, Director) [8054]

#### Summary:

See submitted letter. Policy NE4 “Strategic Wildlife Corridors” needs to be rewritten as the policy starts off correctly with saying development will only be permitted if it does not have an adverse effect on the wildlife corridor. It therefore makes no sense to then caveat that with the two points that follow which adds in a sequential test (point 1) and largely repeats the first statement (point 2).

#### Full text:

See submitted letter

#### Change suggested by respondent:

Policy NE4 “Strategic Wildlife Corridors” needs to be rewritten. Point 1 should be deleted as there is no need for a sequential test if there is no harm. The first part of Point 2 should be deleted as it is repetition, and the second half should just be added to the policy and seek the enhancement that it is fair to ask for.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Local Plan reps (Willowbrook) redacted - <https://chichester.oc2.uk/a/sx7>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** DG Phillips (Bosham) Ltd and Phillips Build Ltd [1743]

**Agent:** Genesis Town Planning Ltd (Kris Mitra, Managing Director) [6993]

**Summary:**

The subject site has been included within proposed Policy NE4 of the Reg 19 Plan as a Wildlife Corridor to function in conjunction with the designation of the land to the west of the strategic allocation which lies to the south of Brandy Hole Lane and the B2178. The site the subject of these representations is fundamentally distinct in character from the wooded areas to the south of the B2178 and to the west of the strategic allocation. These comprise compartmentalised fields and clusters of woodland which frame the field boundaries. In contrast, the subject site comprises agricultural land with a modest treed boundary and is largely open in character, but visually contained. The remainder of the proposed Wildlife Corridor in this location comprises open agricultural fields with limited landscape boundaries, the former landfill site at Hunters Race and the solar farm to the north. None of these areas possess the qualities of the land further to the south to justify being designated a Wildlife Corridor. Such a designation has been imposed merely as a tool to prevent further development of what would otherwise be deemed suitable land for housing.

**Full text:****1 INTRODUCTION**

1.1 These representations are to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) Consultation (hereafter referred to as the "Reg 19 Plan"). These representations have been prepared by Genesis Town Planning, on behalf of D G Phillips (Bosham) Ltd and Phillips Build Ltd as owners of the site comprising approximately 9ha of agricultural land north of Brandy Hole Lane and to the west of Plainwood Close, Chichester.

1.2 The representations also include at Appendix 1 a plan indicating the proposed amendment to the settlement boundary and the inclusion of the site as a suitable housing allocation for up to 300 dwellings. Such an allocation is proposed to address the Council's failure to adequately deliver sufficient housing through the Reg 19 Plan. The site is suitable, available and deliverable and complies with the sustainability objectives set out in the Reg 19 Plan and national policy and ensures that sites, adjacent to the primary settlement of Chichester, are appropriately considered as suitable sites to accommodate further housing.

1.3 These representations, in addition to seeking the inclusion of the site as a housing allocation and an amendment to the settlement policy boundary, also seeks to remove the proposed inclusion of the site within a strategic wildlife corridor. The inclusion of the land in such a corridor has no bearing on the characteristics of the site, its agricultural form, the fact that it is separated from the wildlife corridor to the south by Brandy Hole Lane and extensive housing development. This is an illogically thought through designation, which has paid no regard to the site character or its location and has been deliberately imposed to prevent housing development coming forward on the site. There is no wildlife, ecological or environmental features on the site, with the exception of boundary trees and vegetation, that would justify such a designation washing over the site and neighbouring land, which includes a former landfill site and a solar farm.

1.4 Accompanying these representations are the appropriate representation forms in respect of Settlement Map SB1, Map NE4b, Policy S1 and paragraph 3.7, policy H1, and Policy NE4. These forms are to be read in conjunction with this submission.

**2 LEGAL COMPLIANCE**

2.1 One of the requirements for the preparation of a Local Plan as set in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, (as amended) is the publication of a Sustainability Appraisal (SA) that shows how the SA has been carried out, the information that is used as part of the process and what the outcomes were. The SA is a tool for assessing how the plan, when judged against other reasonable options will help achieve environmental, economic and social objectives.

2.2 The SA suggests that there is little or no argument for setting a housing requirement above the minimum local housing need of the 638 dwellings per annum (dpa) as set by the standard method (763dpa minus 125dpa for South Downs National Park area). This approach is contrary to paragraph 11a) of the National Planning Policy Framework (NPPF) in that it requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of their area.

2.3 It is noted that paragraph 11b) confirms that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas unless this is demonstrated to be unsustainable. The background evidence base for the Reg 19 Plan does not clearly demonstrate the reasons for restricting the overall scale, type and distribution of development in the plan area or that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

2.4 It is noted that the standard method requirement of 638dpa for the plan area is arrived at by removing 125dpa for the part of the district that falls within the South Downs National Park. The lack of any meaningful assessment for providing sufficient housing to meet the standard method figure is a significant error. Without such an assessment, the SA disregards the possibility of providing for sustainable development at the outset and does not therefore accord with the regulatory requirements referred to above.

2.5 Table 5.3 of the SA identifies a range of development scenarios with dwelling requirements for the plan area ranging from 567dpa to 606dpa. These figures result in a shortfall of between 32dpa and 71dpa when compared to the standard method requirement of 638 dpa. As neither of these figures is significantly above the standard method figure, it is not unreasonable to expect the SA to also test a housing requirement/scenario of 638dpa, so that it reflects the confirmed minimum housing need of the plan area. This would be a reasonable alternative and should be tested. Only when this has been carried will it be possible to fully understand the likely implications of meeting housing needs in full. In doing this, the Plan will then comply with the Legal and Procedural Requirements.

**3 SOUNDNESS**

3.1 As set in paragraph 35 of the NPPF when local plans and spatial development strategies are examined they should be prepared in accordance with legal and procedural requirements to ensure that they are sound. It goes on to state that:

"Plans are sound if they are:

- a) Positively prepared – providing a strategy which, as minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."

3.2 As set out above, the Reg 19 Plan does not provide a strategy that seeks to meet the area's objectively assessed housing need, and the SA does not test all the reasonable alternatives. On this basis the plan has not been positively prepared and is not justified. As a result it is contrary to paragraphs 35a) and 35b) of the NPPF.

3.3 In addition to this, there is no clear evidence of effective and on-going working with neighbouring authorities as part of the statutory duty to cooperate. The SoCG should be made publicly available throughout the plan making process to provide transparency. Based on paragraph 1.25 of the Reg 19 Plan this requirement has not been carried out. This confirms that a SoCG is currently being prepared and will be made available for review on the council's website. As a result, the SoCG should have been made available on the LPA's website at the time the Reg 19 Plan was published for consultation. This does not appear to have been the case, which means that this part of the plan making process does not meet the requirements set out in paragraphs 27 and 35c) of the NPPF. As such the effectiveness test has not been complied with in full. The lack of a fully detailed SoCG on the Duty to Cooperate is particularly important in Chichester District as there is a substantial unmet need for housing arising in neighbouring authorities and other nearby authorities across the same sub-region. As yet the evidence base of the Reg19 Plan does not explain or demonstrate how the unmet housing need will be met.

3.4 This is an important omission as it does not accord with the procedural requirements. Until the outcome of this process is known and fully understood it is difficult to know if or how the strategy in the Reg 19 Plan is appropriate or needs modification.

#### 4 COMMENTS ON THE REG 19 DRAFT PLAN

##### Policy H1 – Meeting Housing Needs

4.1 No exceptional circumstances exist in Chichester District to justify an alternative approach that deviates from the standard method figure of 763dpa. Taking account of the South Downs National Park requirement of 125dpa results in a minimum need of 638dpa for Chichester District.

4.2 Furthermore, the housing needs of particular groups are not reflected in the current standard method requirement of 638dpa. These include the following groups:

- Students – which creates a need for an additional 29dpa;
- people who require affordable housing- which generates a need of 433 affordable pa (based on this figure and the thresholds set out in draft Policy H4: Affordable Housing it would be necessary to deliver 1,083 homes per annum to meet affordable housing need in full); and
- the unmet housing needs of neighbouring authorities and/or authorities in the same subregion, which at best are between 10,141 and 10,620 homes.

4.3 When the needs of students are added to the standard method figure the minimum need dwelling requirement would be 666dpa or 11,988 dwellings over the 18-year plan period 2021-2039.

4.4 When the full affordable need of 1,083 dpa is factored in this results in a need for at least 19,494 dwellings over the plan period.

4.5 In addition to the above figures, there is also an unmet need for over 10,000 homes in related authorities over the plan period.

4.6 Based on the above there is clearly a need for significantly more homes than is suggested by the minimum standard method figure.

##### Infrastructure Capacity

4.7 Whilst it is noted that there are long-standing highway capacity issues on the A27 Chichester Bypass and more intermittent capacity problems with Wastewater Treatment facilities in the southern part of the district, these could be resolved if the emerging Reg 19 Plan made provisions to improve their capacity through proper long-term planning.

4.8 This approach is supported by paragraph 22 of the NPPF which confirms that plan-making should respond to long-term infrastructure requirements; and by paragraph 059 Ref ID 61-059 of the Planning Practice Guidance (PPG) which requires local planning authorities and policies that set out infrastructure deficiencies and how these will be addressed.

4.9 Existing capacity problems on the A27 are referred to throughout the Reg 19 Plan and its evidence base. Paragraph 5.2.11 of the SA refers to the southern plan area (i.e. the east-west corridor and Manhood Peninsula) as being highly constrained by capacity on the A27 and to detailed discussions with National Highways and West Sussex County Council (WSCC) over the course of 2019-2022 that led to a resolution that there is capacity for no more than 535dpa in this area. The background evidence does not, however, make it clear as to how the 535dpa figure was arrived at or the implications/infrastructure improvements that would be required to accommodate a higher dwelling provision in this part of the plan area.

4.10 It is important to note the "Chichester Transport Study - Local Plan Review Transport Assessment" (January 2023) prepared by Stantec is mainly focused on testing a single Local Plan spatial scenario for the period to 2039. Section 5.6 confirms that in addition to testing the 535 dpa in the south of the plan area that a sensitivity test for the delivery of 700 dpa in this part of the plan area was also carried out. Paragraph 5.6.1 confirms that higher levels of Local Plan development would enable higher levels of developer contributions to be raised towards funding the required Local Plan mitigation; and paragraph 5.6.3 comments that generally the proposed Strategic Road Network (SRN) mitigation can accommodate, in the most part, additional increase in development to 700dpa. This is reiterated in paragraph 5.6.5 where it concludes "that in the main, the 70dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700dpa demands, with additional mitigation being required".

4.11 Paragraph 8.5 of the Reg 19 Plan comments that in 2021 National Highways confirmed that the A27 Chichester By-Pass major improvement scheme is included in the Road Investment Strategy Pipeline for the period 2025-30 (RIS3), but at this stage funding is not guaranteed. This situation is not uncommon as are many infrastructure projects which are considered necessary to support the emerging Local Plan. This is demonstrated by Table 3 of the Infrastructure Delivery Plan (January 2023). The fact that the funding has not yet been secured towards certain types of infrastructure, such as healthcare, should not be used as a reason to constrain the level of housing proposed in the emerging Local Plan. This approach also applies to transport infrastructure.

4.12 The approach of the Reg 19 Plan to impose limits on the amount of development over the Plan period because of existing infrastructure capacity issues is inconsistent with the objectives of national policy and could undermine the prospects of securing the funding necessary to improve infrastructure capacity. The approach of the emerging plan is therefore negative worded as it has the effect of constraining the level of housing below the minimum level needed and does not accord with the PPG or the objectives of national policy. A better, and more positive approach would be to plan for the necessary infrastructure, which in turn will maximise the prospects of securing the required infrastructure instead of deferring it.

4.13 The emerging Local Plan advocates a "monitor and manage" approach such that the funding for the necessary improvements to the A27 will be monitored, which itself will jeopardise that funding, and if the funding is secured then presumably the corresponding level of housing will be released to address some of the housing need. Instead of this approach, the emerging plan should pursue a "plan, monitor and manage" approach to meeting housing needs in full by committing to the delivery of the infrastructure improvements and if necessary, phasing the housing requirements towards the end of the plan period.

##### The Proposed Housing Requirement

4.14 These submissions confirm that the housing needs of the plan area will not be met by the proposed 10,350 dwelling requirement set out in Policy H1 of the Reg 19 Plan.

4.15 According to the standard method the minimum housing need is 11,484 dwellings (638 x 18). When the growth of the student population (28dpa) is factored in the minimum housing need increases to 11,988 homes, and when the full affordable housing needs (433 dpa) are taken into account the overall need increases to at least 19,485 dwellings. Finally, there is a need for excess of 10,000 more homes to address the unmet needs of the sub-region.

**Suggested Modification**

4.16 Based on the above it is clear that the Policy H1 requirement needs to be reconsidered and increased. This can be achieved if the Local Plan seeks to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of NPPF.

4.17 In setting a revised housing requirement, the District Council must take into account the needs of particular groups (i.e., students and persons in need of affordable homes) and complete the Duty to Cooperate process by preparing a SoCG in respect of the unmet needs of the sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs. In addition, the Reg 19 Plan should seek to allocate the land the subject of these representations for up to 300 dwellings to make up the shortfall identified.

**Policy S1 - Spatial Development Strategy**

4.18 Chapter 3 and Policy S1 of the Reg 19 Plan sets out the spatial strategy of the emerging plan.

These seek to disperse development across the plan area by:

1. Focusing the majority of planned sustainable growth at Chichester city and within the eastwest corridor;
2. Reinforcing the role of the Manhood Peninsula as home to existing communities, tourism and agricultural enterprise; and
3. Where opportunities arise, supporting the villages and rural communities in the North of the Plan Area.

4.19 An increased dwelling requirement (as suggested in the context of Policy H1 above) could be accommodated without the need to significantly alter the proposed spatial strategy of the Reg 19 Plan.

4.20 In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City to include the site subject of these representations.

4.21 In this respect the inclusion of additional land would make a significant contribution towards the delivery of the required housing need for Chichester, providing a flexible approach to housing delivery in a sustainable, planned and progressive way.

**Suggested Modification**

4.22 The inclusion of land to the north of Brandy Hole Lane and west of Plainwood Close, as set out in Appendix 1 to these submissions, should be secured through an amendment to the settlement boundary on Plan SB1. Further, the site should be allocated as a suitable housing site for up to 300 dwelling units to meet the required housing need for the district.

4.23 In support of this approach the Council undertook an assessment of the site's suitability for development as part of the HELAA process in 2021. A copy of the HELAA Assessment and associated plan is contained at Appendices 2 and 3. This confirms that the site is in agricultural/ pasture use and is suitable for development subject to consideration of matters such as access, landscape and trees. The assessment goes on to confirm that there are no known constraints that would make the development unachievable in principle.

**Policy NE4**

4.24 Despite the above assessment, the subject site has been included within proposed Policy NE4 of the Reg 19 Plan as a Wildlife Corridor to function in conjunction with the designation of the land to the west of the strategic allocation which lies to the south of Brandy Hole Lane and the B2178. The site the subject of these representations is fundamentally distinct in character from the wooded areas to the south of the B2178 and to the west of the strategic allocation. These comprise compartmentalised fields and clusters of woodland which frame the field boundaries. In contrast, the subject site comprises agricultural land with a modest treed boundary and is largely open in character, but visually contained. The remainder of the proposed Wildlife Corridor in this location comprises open agricultural fields with limited landscape boundaries, the former landfill site at Hunters Race and the solar farm to the north. None of these areas possess the qualities of the land further to the south to justify being designated a Wildlife Corridor. Such a designation has been imposed merely as a tool to prevent further development of what would otherwise be deemed suitable land for housing.

**Suggested Modification**

4.25 The proposed Wildlife Corridor to the north of Brandy Hole Lane should be deleted from the Reg 19 Plan and removed from the settlement map NE4b. Furthermore, Policy NE4 requires any development within the designated Wildlife Corridor to be subject to a sequential test which places a significantly higher bar than that set out within the NPPF. The does not comprise a designated landscape, and proposed Policy NE4 fails to identify any special qualities that apply to the designated area in this location.

**Change suggested by respondent:**

The proposed Wildlife Corridor to the north of Brandy Hole Lane should be deleted from the Reg 19 Plan and removed from the settlement map NE4b. Furthermore, Policy NE4 requires any development within the designated Wildlife Corridor to be subject to a sequential test which places a significantly higher bar than that set out within the NPPF. The does not comprise a designated landscape, and proposed Policy NE4 fails to identify any special qualities that apply to the designated area in this location.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Reg 19 Final Representations Doc v2 170323 - <https://chichester.oc2.uk/a/sm7>

**Object**

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

**Summary:**

- The relocated East Of City strategic wildlife corridor encroaches into CCE land at Drayton Lane;
- Development proposals on this land would be required to undertaken statutory wildlife protections, and therefore the encroaching extension is considered unnecessary.

**Full text:**

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.



## Chapter 2: Vision & Strategic Objectives

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

## Chapter 3: Spatial Strategy and Settlement Hierarchy

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

### Policy S1 Spatial Development Strategy

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

### Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

## Chapter 4: Climate Change and the Natural Environment

### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if

economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

## Chapter 5: Housing

### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'.

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

## Chapter 6: Place-making

### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

## Chapter 7: Employment and Economy

### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required

outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that “approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period.” Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

#### Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council’s proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE’s land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

#### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE’s control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

#### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE’s control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as ‘developable’. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council’s concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for

development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

#### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

#### Change suggested by respondent:

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - [https://chichester.oc2.uk/a/snhD2654\\_R001\\_Southbourne\\_Vision Document REV F \(LR, Spread\)](https://chichester.oc2.uk/a/snhD2654_R001_Southbourne_Vision_Document_REV_F_(LR_Spread)) - <https://chichester.oc2.uk/a/t6r>  
East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

#### Summary:

With two Wildlife corridors within Southbourne Parish boundaries we very much support their creation and safe guarding. The only caveat to this is that the newly included Nutbourne to Hambrook corridor is NOT wide enough at its northern end, missing out major water vole networks.

#### Full text:

With two Wildlife corridors within Southbourne Parish boundaries we very much support their creation and safe guarding. The only caveat to this is that the newly included Nutbourne to Hambrook corridor is NOT wide enough at its northern end, missing out major water vole networks.

#### Change suggested by respondent:

The newly included Nutbourne to Hambrook corridor is NOT wide enough at its northern end, missing out major water vole networks.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Southbourne Biodiversity Map.pdf - <https://chichester.oc2.uk/a/sth>  
CDCSouthbourne\_Biodiversity\_Map\_2020 A2 (1).pdf - <https://chichester.oc2.uk/a/stx>

**Object****Document Element:** Policy NE4 Strategic Wildlife Corridors**Respondent:** Rolls-Royce Motor Cars Limited [8018]**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]**Summary:**

Draft Policy NE4 states that 'development will only be permitted where it would not lead to an adverse effect upon the ecological value, function, integrity and connectivity' of these corridors. R-RMC supports the principle of this policy but considers the Council's approach to be inconsistent with national policy, specifically paragraph 180(a) of the NPPF which provides a mechanism for mitigating against or compensating for any assessed adverse impact.

**Full text:**

R-RMC supports the principle of this draft policy, which seeks to protect the district's network of Strategic Wildlife Corridors. R-RMC recognises the important role these corridors play in facilitating wildlife connectivity and movement.

However, draft Policy NE4 specifically states that 'development will only be permitted where it would not lead to an adverse effect upon the ecological value, function, integrity and connectivity' of these corridors. Rolls-Royce Motor Cars (R-RMC) supports the principle and overall aim of this policy, but considers the Council's approach to be rigid, unjustified and inconsistent with national policy.

Paragraph 180(a) of the National Planning Policy Framework (NPPF) indicates that planning permission should be refused where 'significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for' (emphasis added). This highlights the NPPF's resolve to provide a mechanism for mitigating against or compensating for any assessed adverse impact. R-RMC is concerned that Policy NE4, as currently drafted, does not reflect the sentiment of the NPPF.

To make the policy justified, effective and sound, R-RMC suggests that the policy is updated to reflect and be consistent with national policy. This should be set out as a hierarchy, where development will be permitted where there is no adverse impact. However, where this is not possible, proposals will be expected to mitigate or, as a last resort, compensate for any adverse impact.

**Change suggested by respondent:**

The policy should be updated to reflect and be consistent with national policy, specifically paragraph 180(a) of the NPPF. This should be set out as a hierarchy, where development will be permitted where there is no adverse impact to Strategic Wildlife Corridors. However, where this is not possible, proposals will be expected to mitigate or, as a last resort, compensate for any adverse impact.

**Legally compliant:** No**Sound:** No**Comply with duty:** Yes**Attachments:** None**Support****Document Element:** Policy NE4 Strategic Wildlife Corridors**Respondent:** Rolls-Royce Motor Cars Limited [8018]**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]**Summary:**

R-RMC supports the principle of this draft policy, which seeks to protect the district's Strategic Wildlife Corridors. R-RMC recognises the important role these corridors play in facilitating wildlife connectivity and movement.

**Full text:**

R-RMC supports the principle of this draft policy, which seeks to protect the district's network of Strategic Wildlife Corridors. R-RMC recognises the important role these corridors play in facilitating wildlife connectivity and movement.

However, draft Policy NE4 specifically states that 'development will only be permitted where it would not lead to an adverse effect upon the ecological value, function, integrity and connectivity' of these corridors. Rolls-Royce Motor Cars (R-RMC) supports the principle and overall aim of this policy, but considers the Council's approach to be rigid, unjustified and inconsistent with national policy.

Paragraph 180(a) of the National Planning Policy Framework (NPPF) indicates that planning permission should be refused where 'significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for' (emphasis added). This highlights the NPPF's resolve to provide a mechanism for mitigating against or compensating for any assessed adverse impact. R-RMC is concerned that Policy NE4, as currently drafted, does not reflect the sentiment of the NPPF.

To make the policy justified, effective and sound, R-RMC suggests that the policy is updated to reflect and be consistent with national policy. This should be set out as a hierarchy, where development will be permitted where there is no adverse impact. However, where this is not possible, proposals will be expected to mitigate or, as a last resort, compensate for any adverse impact.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

**Summary:**

The requirement for new development adjacent to SWCs to “take opportunities available in order to extend and enhance those corridors” introduces uncertainty and conflict with draft Policy A8 (see main report, section 4). The final paragraph to NE4 should be deleted.

The requirement in criterion 2 for development to “not have an adverse effect” is similar to Requirement 10 of draft Policy A8: “no adverse effects” is not the threshold advocated by the NPPF (paragraph 179) which instead requires Local Plans to “promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species...” Paragraph 180 establishes the correct threshold, which is “significant harm”. Criterion 2 should be amended accordingly.

**Full text:**

Please refer to submitted representations document.

**Change suggested by respondent:**

The requirement for new development adjacent to SWCs to “take opportunities available in order to extend and enhance those corridors” introduces uncertainty and conflict with draft Policy A8 (see main report, section 4). The final paragraph to NE4 should be deleted.

The requirement in criterion 2 for development to “not have an adverse effect” is similar to Requirement 10 of draft Policy A8: “no adverse effects” is not the threshold advocated by the NPPF (paragraph 179) which instead requires Local Plans to “promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species...” Paragraph 180 establishes the correct threshold, which is “significant harm”. Criterion 2 should be amended accordingly.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/sb7>

REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/sb8>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Object to policy as it is contradictory and unclear and has no sound basis.

**Full text:**

There is no sound biodiversity basis for: (1) the designation of these corridors in principle and (2) their boundaries are ad hoc and not based on any precise ecological basis - for example they comprise a series of straight lines and pother cut through houses and gardens which clearly are not part fo a wildlife corridor

The wording is contradictory since the last para implies that the policy excludes householder applications but the policy is very wide ranging and would appear to apply to ALL development proposals.

The first 2 paras seem contradictory - para 1 allows development provided no adverse impact. Para 2 implies not development at all provided you can show not only there is no advisor impact but also there are no sequentially preferable sites

**Change suggested by respondent:**

Substantially amend the policy to provide much greater clarity

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

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**Support**

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The Estate will work with the local planning authority to expand upon the proposed wildlife corridors, particularly in respect of land around the circuit and aerodrome. The existing bridleway adjacent, and recent planting, is one opportunity to provide additional corridor provision linking with the Tunnels SAC across Estate Land.

**Full text:**

The Estate will work with the local planning authority to expand upon the proposed wildlife corridors, particularly in respect of land around the circuit and aerodrome. The existing bridleway adjacent, and recent planting, is one opportunity to provide additional corridor provision linking with the Tunnels SAC across Estate Land.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

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**Support**

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are supportive of this policy, particularly in regard to the wildlife corridors along watercourses and links with Biodiversity Opportunity Areas. We would encourage consideration of natural flood management wherever possible to deliver multiple benefits. Further information on natural flood management can be found on the gov.uk website - <https://www.gov.uk/guidance/use-nature-based-solutions-to-reduce-flooding-in-your-area>.

**Full text:**

We are supportive of this policy, particularly in regard to the wildlife corridors along watercourses and links with Biodiversity Opportunity Areas. We would encourage consideration of natural flood management wherever possible to deliver multiple benefits. Further information on natural flood management can be found on the gov.uk website - <https://www.gov.uk/guidance/use-nature-based-solutions-to-reduce-flooding-in-your-area>.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

The RSPB does not support the changes made to SWCs without consultation. The RSPB does not consider Policy NE4 to be 'sound' due to a lack of justification and evidence to inform modifications in the policy (NE4) [to the proposed Pagham to Westhampnett SWC] and no form of consultation to provide opportunity to comment upon these changes.

**Full text:**

The RSPB is pleased to see and supports the overall principles of Strategic Wildlife Corridors (SWCs) within Chichester Local Plan and the SWCs Background Paper. The principles of allowing 'the movement of species between areas of habitat by linking wildlife sites and reducing the risk of small, isolated populations becoming unsustainable and dying out' (para 4.14, p.49) align with the Lawton principles of 'More, Bigger, Better, and Joined Up' that underpin conservation practice and nature recovery in the UK. The overall policy to create SWCs within Chichester District Council's (CDC's) Draft Local Plan is consistent with national policy, specifically para 179(a), where plans should:

'Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation'

However, the RSPB is concerned by the lack of information and consultation process where material changes have been made to the boundaries of the SWCs. The last opportunity for consultation upon proposals for the SWCs was between July and September 2021; without additional opportunity to comment, changes were made to the Pagham to Westhampnett SWC which in the current CDC Proposed Submission Local Plan 2021 to 2049 Policies Map have removed a western section of the woodland and scrub area to the west of Drayton Lane. This former section of SWC has since been replaced with the proposed Strategic Allocations and Policy A8, and a section of Policy A7.

It is the RSPB's understanding that the 2021 consultation on SWCs outlined a proposed (later approved) movement of the Pagham to Westhampnett SWC to the west, through the Drayton Pits area to the west of Drayton Lane, in order to include important areas for barbastelle bats (*Barbastella barbastellus*) identified by survey efforts commissioned by CDC. With a lack of justification for these changes, the RSPB does not consider Policy NE4 to be 'sound'.

The RSPB is also unclear regarding the wording around development proposals being granted permission within SWCs where it can be demonstrated that 'there are no sequentially preferable sites available outside the wildlife corridor'. It is unclear what the definition of a sequentially preferable site is; the RSPB considers it necessary for this requirement to be clarified before it is able to provide comment on its 'soundness'.

Overall, the RSPB supports Policy NE4 and the concept of Strategic Wildlife Corridors but does not support the changes made to SWCs without consultation. The RSPB does not consider Policy NE4 to be 'sound' due to a lack of justification and evidence to inform modifications in the policy (NE4) and no form of consultation to provide opportunity to comment upon these changes. The RSPB seeks the reinstatement of the former boundary of the proposed Pagham to Westhampnett SWC as detailed at the last opportunity for consultation (July to September 2021).

**Change suggested by respondent:**

The RSPB seeks the reinstatement of the former boundary of the proposed Pagham to Westhampnett SWC as detailed at the last opportunity for consultation (July to September 2021).

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/trn>



**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

Overall, the RSPB supports Policy NE4 and the concept of Strategic Wildlife Corridors.

**Full text:**

The RSPB is pleased to see and supports the overall principles of Strategic Wildlife Corridors (SWCs) within Chichester Local Plan and the SWCs Background Paper. The principles of allowing 'the movement of species between areas of habitat by linking wildlife sites and reducing the risk of small, isolated populations becoming unsustainable and dying out' (para 4.14, p.49) align with the Lawton principles of 'More, Bigger, Better, and Joined Up' that underpin conservation practice and nature recovery in the UK. The overall policy to create SWCs within Chichester District Council's (CDC's) Draft Local Plan is consistent with national policy, specifically para 179(a), where plans should:

'Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation'

However, the RSPB is concerned by the lack of information and consultation process where material changes have been made to the boundaries of the SWCs. The last opportunity for consultation upon proposals for the SWCs was between July and September 2021; without additional opportunity to comment, changes were made to the Pagham to Westhampnett SWC which in the current CDC Proposed Submission Local Plan 2021 to 2049 Policies Map have removed a western section of the woodland and scrub area to the west of Drayton Lane. This former section of SWC has since been replaced with the proposed Strategic Allocations and Policy A8, and a section of Policy A7.

It is the RSPB's understanding that the 2021 consultation on SWCs outlined a proposed (later approved) movement of the Pagham to Westhampnett SWC to the west, through the Drayton Pits area to the west of Drayton Lane, in order to include important areas for barbastelle bats (*Barbastella barbastellus*) identified by survey efforts commissioned by CDC. With a lack of justification for these changes, the RSPB does not consider Policy NE4 to be 'sound'.

The RSPB is also unclear regarding the wording around development proposals being granted permission within SWCs where it can be demonstrated that 'there are no sequentially preferable sites available outside the wildlife corridor'. It is unclear what the definition of a sequentially preferable site is; the RSPB considers it necessary for this requirement to be clarified before it is able to provide comment on its 'soundness'.

Overall, the RSPB supports Policy NE4 and the concept of Strategic Wildlife Corridors but does not support the changes made to SWCs without consultation. The RSPB does not consider Policy NE4 to be 'sound' due to a lack of justification and evidence to inform modifications in the policy (NE4) and no form of consultation to provide opportunity to comment upon these changes. The RSPB seeks the reinstatement of the former boundary of the proposed Pagham to Westhampnett SWC as detailed at the last opportunity for consultation (July to September 2021).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/trn>

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Gleeson Land (Mr Dominick Veasey, Planning Manager) [7915]

**Summary:**

The wording as drafted fails the NPPF soundness tests, on the basis that: (a) Ecology-led masterplanning can ensure development is accommodated within the SWCs while fully maintaining the functional elements of the corridors; (2) The policy as drafted is also wholly inconsistent within NPPF paragraph 180, in that it only provides for development avoidance measures within the SWCs; and (3) The 'integrity' test element of the policy relates to undertaking Appropriate Assessments. The protection afforded within the policy wording must be proportionate to the locally important status of the designation.

**Full text:**

The wording as drafted fails the NPPF soundness tests, on the basis that: (a) Ecology-led masterplanning can ensure development is accommodated within the SWCs while fully maintaining the functional elements of the corridors; (2) The policy as drafted is also wholly inconsistent within NPPF paragraph 180, in that it only provides for development avoidance measures within the SWCs; and (3) The 'integrity' test element of the policy relates to undertaking Appropriate Assessments. The protection afforded within the policy wording must be proportionate to the locally important status of the designation.

**Change suggested by respondent:**

Policy NE4 should be amended to reflect the objectives and role of the Strategic Wildlife Corridor:

Development will only be permitted where it would not lead to a significant adverse effect upon the ecological value, function and connectivity of the strategic wildlife corridors.

Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

1. The development will not have a significant adverse impact on the function of the wildlife corridor and protects and enhances its features and habitats.
2. The proposal will not undermine the connectivity and ecological value of the corridor.

Development proposals outside, but in close proximity to the strategic wildlife corridor will be acceptable where it can be demonstrated that:

- a) The development will not have a significant adverse impact on the integrity and function of the wildlife corridor; and
- b) The proposal will not undermine the connectivity and ecological value of the corridor.

All proposals for new development (with the exception of householder applications) within or in close proximity to wildlife corridors should take opportunities available in order to extend or enhance those corridors.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Policy\_NE4\_Gleeson\_Land.pdf - <https://chichester.oc2.uk/a/sc5>

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Mrs Sue Talbot [6219]

**Summary:**

– The Ham Brook Wildlife Corridor area should be larger as shown in the proposed Neighbourhood Plan (Southbourne Parish Neighbourhood Plan, Submission Modified Plan 2014 – 2029 Ham Brook Strategic Wildlife Corridor Map (Plan D, page 47) as confirmed by District and Parish Council surveys, and validated by the Sussex Biodiversity Record Centre.

Is the District Council Map definitive, or a strategic guideline? The Local Plan (Policy NE4, Map NE4a and para. 4.16) confirms definitive boundaries. Discussions with the National Park (Duty to Cooperate Statement of Compliance Jan 2023, page 38), agreed that details would be defined in Neighbourhood Plans.

**Full text:**

The Ham Brook Wildlife Corridor was included in the Local Plan following strong representations from the Southbourne Parish Council, Hambrook and Chidham Parish Council, and members of the public. Southbourne Parish Council organised surveys to support its inclusion but the area selected by the District Council is not as large as the area defined by the Parish Council.

The evidence commissioned by the District Council (Wildlife Corridors Technical Consultation Document, July 2021) shows contributory branches of the Ham Brook Chalk Stream to the west (Figure 1) which have not been included in the strategic corridor. It is not clear why. Chalk streams are rare and worthy of protection. Prolific evidence of water voles was discovered during the Parish Council survey of these side-streams.

The District Council bat survey had only two recording points, but despite this, bat activity was recorded to the west and north west of the currently proposed corridor (Wildlife Corridors Technical Consultation Document, July 2021 – Figure 2). Bat surveys organised and commissioned by the Parish Council were more wide ranging and fully support the identification of a wider area as shown in the Neighbourhood Plan.

At a meeting between officers of the District Council and the South Downs National Park (SDNP), SDNP officers “queried whether they [Wildlife Corridors] are substantial enough to perform intended function” (Duty to Cooperate Statement of Compliance Jan 2023, page37). This would appear to support the case for a larger and wider Corridor along the Ham Brook.

Conclusion - The Wildlife corridor should be extended to include the area shown in the Neighbourhood Plan on the basis of the evidence secured by both District and Parish Councils. Confirmation is required about whether boundaries are defined in the Local Plan or in Neighbourhood Plans.

**Change suggested by respondent:**

Policy NE4 should state which plans confirm the boundaries of the Wildlife Corridors and Local Plan Map 4a needs amending to show a larger area for the Nutbourne to Hambrook Wildlife Corridor.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** NP3-SB14-EV1-Biodiversity.pdf - <https://chichester.oc2.uk/a/s8g>  
NP3-SB14-Biodiversity-Plan-8.pdf - <https://chichester.oc2.uk/a/s8x>  
NP3-SB14-Biodiversity-Plan-10.pdf - <https://chichester.oc2.uk/a/s8j>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors  
**Respondent:** Landlink Estates Ltd [1764]  
**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]

**Summary:**

Objection on grounds that wildlife corridors have not been assessed for their impact on delivering net zero; wildlife corridors may contain important sites for delivery of renewable energy; requiring unjustified sequential testing is contrary to NPPF 158 a) where renewable energy applicants do not need to demonstrate the overall need for the development; SA not considered impact of removing BMV land within the proposed wildlife corridors which exceeds NE threshold; policy not assessed in terms of reasonable alternatives in sustainability appraisal.

**Full text:**

See attachments.

**Change suggested by respondent:**

Remove the policy from the plan as it has not been assessed in terms of reasonable alternatives in the sustainability appraisal and has therefore not met the requirements of The Environmental Assessment of Plans and Programmes Regulations 2004 - Regulation 12(2)b.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sjr>  
 1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>  
 3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>  
 Email Trail - <https://chichester.oc2.uk/a/sj3>  
 2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>  
 4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>  
 5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>  
 6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>  
 6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>  
 8. Archaeological DBA - <https://chichester.oc2.uk/a/sj9>  
 12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>  
 13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>  
 13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>  
 13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>  
 14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>  
 7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>  
 11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>  
 9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>  
 10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>  
 Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>  
 Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors  
**Respondent:** Bellway Homes (Wessex) Ltd [1573]  
**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway commend Chichester Council for already publishing a strategic wildlife corridors background paper (consulted on in 2018). Bellway do not consider that draft Policy NE4 (Strategic Wildlife Corridors) accords with paragraph 180 of the NPPF. Whilst Bellway has reservations about consistency with the NPPF, minor modifications could render it consistent and sound.

**Full text:**

See attachment.

**Change suggested by respondent:**

Draft Policy NE4 should include; adequately mitigated, or, as a last resort, compensated for (in accordance with National Planning Policy para 180).

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Object**

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Mr AJ Renouf, Mr DA Renouf, & Mrs SJ Renouf [8137]

**Agent:** Rodway Planning Consultancy Ltd (Mr Tim Rodway, Partner) [7335]

**Summary:**

Wildlife corridor should be amended to not include land within submitted site of Sherwood Nursery.

**Full text:**

See attached.

**Conclusion**

In light of all the above we contend that Sites HOV0006 (Sherwood Nursery) and HOV0012 (Landsdowne Nursery) should be reconsidered for allocation for housing development in the Draft Plan. The Sites are positively assessed in the HELAA, and are situated adjacent to existing consented and planned allocated sites. This area is clearly suitable for new housing. The Sites are previously developed and provide an opportunity for new housing in a sustainable location, without encroaching onto greenfield land. In this context the natural next step would be to add the Sites to the draft Plan as additional site allocations for residential development.

We put these two sites forward with the intention to provide high quality housing in an area with an identified need. We have made it clear in the above representations that the Sites are eminently available, sustainably located and can provide much needed new residential units.

The District Council's proposed housing figures for the Plan period are considered to be insufficient to meet the needs of the District when the significant unmet needs of adjacent and other nearby authorities are taken into account.

In this context, the broad location of Shopwhyke (east of Chichester) is acknowledged as being a sustainable location in the context of Chichester District, and we consider that it should be aiming to provide an increased housing figure during the Plan period.

The Sites are unconstrained by any landscape or other planning designations. The work that has been undertaken, and the conclusions of which clearly identify that the Sites are suitable for development.

We contend that Sherwood Nursery should be removed from the Strategic Wildlife Corridor designation for the reasons we have set out.

In its current form, we contend that the Draft Plan does not meet soundness tests insofar that it does not positively contribute to the achievement of sustainable development, and nor does it comply with the strategic policies of the area, by failing to provide a sufficient quantum of housing.

**Change suggested by respondent:**

Amend wildlife corridor.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

**Object**

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Landowners at Chantry Farm [8165]

**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]

**Summary:**

Policy NE4 states that 'Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

1. There are no sequentially preferable sites available outside the wildlife corridor; and
2. The development will not have an adverse impact on the integrity and function of the wildlife corridor and protects and enhances its features and habitats.'

Part of our client's land is allocated in the Neighbourhood Plan is allocated in the Neighbourhood Plan, so we are concerned that location within the Wildlife corridor will restrict development on a site which is deemed suitable by the Parish and District to accommodate housing.

**Full text:**

These representations are made on behalf of our client, the owners of Land at Chantry Farm, Westbourne who wish to support Policy H3 of the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version but object to Policy NE4.

**Background**

The owners have been promoting the land in the plan enclosed at Enclosure 1 at all relevant opportunities. The land hatched in blue is allocated in the Westbourne Neighbourhood Plan for 6 houses, the green land is allocated as local green space and the purple is available for either residential development or nitrate/bio diversity offset land for the proposed residential development on the blue land.

The land has been marketed by ourselves, and a developer is looking to purchase all 3 parcels. They will look to submit an application in the shorter term to illustrate that the development will be delivered in the early part of the plan period,

**Policy H3**

Policy H3 of the Chichester Local Plan relates to the non-strategic parish housing requirements for the plan period. The table contained in the policy identifies that 30 additional houses will need to be provided in Westbourne either through a Neighbourhood Plan or subsequent Development Plan Document. Our clients wish to make representations that they support this approach and the proposed housing numbers of 30, with these being increased should supporting evidence be provided.

The Westbourne Neighbourhood Plan 2017 – 2029 was made by Chichester District Council in September 2021 and allocated 28 houses on 3 separate sites. Our client's land is allocated under Policy SS3 of the Neighbourhood Plan, Land adjacent to Chantry Hall, Foxbury Lane for a development of 6 dwellings.

Our clients support the housing allocation on their land, however the land is able to accommodate far more than 6 dwellings, perhaps up to 20. Our clients wish for the inspector to be aware of the ability to accommodate additional dwellings, should they feel that Westbourne is a sustainable location for numbers in excess of 30 dwellings.

In addition, we would question whether 30 dwellings need to be provided in addition to the 28 allocated in the Neighbourhood Plan as this predates that Proposed Submission Version of the Local Plan. There is currently an application being considered by Chichester District Council for the land allocated under Policy SS1: Land to the West of Monks Hill Lane under ref. WE/22/00209/FUL which we would assume will be approved prior to the Local Plan being adopted. In addition, there is an application under consideration for the land allocated under Policy SS2: Land at Long Copse Lane under ref. 21/02159/FUL which is currently being appealed by the applicant.

It should be noted that the second site mentioned above, land at Long Copse Lane, is allocated in the Neighbourhood Plan for 16 dwellings. However, the application is for just 7, so below the allocation figure. Although, the Land to the West of Monks Lane is 3 dwellings over the allocation, there is potentially a shortfall of housing already in the Parish with the lower numbers consider at Monks Lane. Our clients land is able to accommodate any shortfall.

**Policy NE4**

Policy NE4 states that 'Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

1. There are no sequentially preferable sites available outside the wildlife corridor; and
2. The development will not have an adverse impact on the integrity and function of the wildlife corridor and protects and enhances its features and habitats.'

Part of our client's land is allocated in the Neighbourhood Plan, so we are concerned that location within the Wildlife corridor will restrict development on a site which is deemed suitable by the Parish and District to accommodate housing.

We would ask that the District and Inspector consider this in the examination of the Local Plan, and that the land allocated in the Neighbourhood Plan, for clarity shown in blue at Enclosure 1, be removed from the wildlife corridor and evidence base considered further as this appears to be absence as to justification of location.

In conclusion, our clients support additional housing in Westbourne but would ask these numbers are seen as a minimum figure. Our clients land is deliverable, with solutions to resolve nitrates and biodiversity on site. Also, we would ask that the Wildlife Corridor is amended to exclude our client's land that is allocated.

**Change suggested by respondent:**

We would ask that the District and Inspector consider this in the examination of the Local Plan, and that the land allocated in the Neighbourhood Plan, for clarity shown in blue at Enclosure 1, be removed from the wildlife corridor and evidence base considered further as this appears to be absence as to justification of location

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Supporting representations - <https://chichester.oc2.uk/a/sms>

H3 - <https://chichester.oc2.uk/a/smt>

NE4 - <https://chichester.oc2.uk/a/sm3>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Salthill Trust [8170]

**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]

**Summary:**

Object on grounds that Council has not published evidence base nor set out methodology in Reg 19 consultation. Council have not considered future development potential of sites within corridors or that built environment and nature can work in unison. Failed to fully consult those affected by SWC and other stakeholders; are applying additional layer of planning restraint in District already highly constrained.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sn5>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Barratt David Wilson Homes [7523]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

BDW object to the Strategic Wildlife Corridor (SWC) locations for the following reasons:

- The Council has not published its evidence base in the Reg 19 consultation for applying this new constraint layer;
- The current use of the corridors is not stated, no considered sustainability of future development potential;
- Blanket policy designations are not required
- Locations adjacent to existing settlements appear unjustified and inappropriate in current form.

[see attached representation for further information]

**Full text:**

1 Henry Adams LLP act on behalf of Barratt David Wilson (Client) in respect of Land at Maudlin Farm (the Site). These representations respond to the Regulation 19 Consultation version of the Chichester Local Plan 2021-2039 (Feb 2023), which identifies the site as a Strategic Development allocation through Policy A11 Highgrove Farm, Bosham.

1.2 In this context, our response is focused on the following matters;

- ☒ The development strategy, settlement hierarchy and distribution of development,
- ☒ The overall amount of new housing required within the new plan period, and
- ☒ The strategic allocation proposed at Bosham in Policy A11.

1.3 The Site is subject of a live application which was submitted over 2 years to the Council, following publication of an Interim Housing Statement, which encouraged applications on suitably located sites, including those comprising draft allocations. The Council are yet to determine this application. This submission is accompanied by the design and access statement (Appendix 1) submitted with the live application for the site which focuses on the site opportunities and constraints alongside the design considerations.

In summary, the Client supports the allocation of Highgrove Farm, Bosham for residential development. The technical work and accompanying design and access statement demonstrate that the site is capable of delivering 300 dwellings during the course of the plan period.

6.2 The Client would however request that amendments be made to the wording of the policy to allow for a level of flexibility so that any future development can be aligned with what is appropriate to deliver to meet local needs.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Local Plan Reg 19 Representation obo BDW - <https://chichester.oc2.uk/a/smq>  
 Highgrove Farm, Bosham A11 - <https://chichester.oc2.uk/a/snr>  
 Highgrove Farm, Bosham H1 - <https://chichester.oc2.uk/a/sns>  
 Highgrove Far, Bosham E2 - <https://chichester.oc2.uk/a/snt>  
 Highgrove Farm, Bosham P5 - <https://chichester.oc2.uk/a/sn3>  
 Highgrove Farm, Bosham S1 - <https://chichester.oc2.uk/a/sn4>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Sussex Ornithological Society (Mr Mark Mallalieu) [8089]

**Summary:**

We are concerned that the Strategic Wildlife Corridor (SWC) east of the city has been reduced significantly in a manner that has not been justified, undermines the value of the corridor and will lead to harm to biodiversity in the development stage of Policy A8. Such harm can and therefore should be avoided by restoring the larger corridor previously identified. We believe that this would ensure that development complies with NPPF section 180 a). We comment in detail under Policy A8. We also note and support the Regulation 19 plan vision that all SWCs should be fully protected (p.26).

**Full text:**

Policy NE4 Strategic Wildlife Corridors (p.50)

We are concerned that the Strategic Wildlife Corridor (SWC) east of the city has been reduced significantly in a manner that has not been justified, undermines the value of the corridor and will lead to harm to biodiversity in the development stage of Policy A8. Such harm can and therefore should be avoided by restoring the larger corridor previously identified. We believe that this would ensure that development complies with NPPF section 180 a). We comment in detail under Policy A8. We also note and support the Regulation 19 plan vision that all SWCs should be fully protected (p.26).

Policy A8 Land East of Chichester (p.231)

We object to the significant reduction in the Strategic Wildlife Corridor (SWC) east of the city. In addition to the wildlife impacts of this reduction that other conservation bodies are likely to highlight, e.g. on bats, we wish to draw attention again to the recent presence of breeding Marsh Harriers on the lake adjacent to the south side of the Policy A8 development, as noted in section 10.30, p.229 of the CDC Regulation 19 Local Plan. Marsh Harrier is a Schedule 1 species, scarce nationally and monitored by the Rare Breeding Birds Panel. Only 1-2 pairs nest annually in West Sussex. We consider that the SWC should therefore be restored to its previous dimensions and that the A8 development proceeds in a manner that will enhance the biodiversity of the lake and its surrounds, including by limiting access to the immediate proximity of the lake (bird hides could be considered to limit disturbance). This will increase the chances of the harriers occupying the site in the future, but is desirable anyway given other biodiversity benefits including for bats. Full protection in line with the CDC vision (p.26 of the Regulation 19 plan) will be an additional important benefit.

**Change suggested by respondent:**

Amend corridor to wider version previously identified (August 2021).

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Policy seeks to limit and control development in areas designated as proposed Wildlife Corridors. It assumes that land within the designation is already in a natural state and therefore protection is the only relevant consideration. This is not the case, as part of the proposed Strategic Wildlife Corridor to the east of Southbourne comprises an operational Breakers Yard known as Harris Scrapyard. The existing Breakers Yard occupies an important area within the proposed Strategic Wildlife Corridor. See proposed amendment.

**Full text:**

See attachments.

**Change suggested by respondent:**

Policy should be amended to support and facilitate necessary change of land to enable delivery of wildlife corridor.

Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

1. The development is in a form that supports the delivery of the wildlife corridor;
2. There are no sequentially preferable sites available outside the wildlife corridor; and
3. The development will not have an adverse impact on the integrity and function of the wildlife corridor and protects and enhances its features and habitats.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>



## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** The Sadler Family [8181]

**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]

**Summary:**

Object to policy on grounds that evidence base in support not published; current use of corridors not stated - could have future sustainable development potential; blanket designation unnecessary as built environment and nature can work in unison; methodology not set out; those affected by SWC and other stakeholders not consulted; District already highly constrained.

**Full text:**

These representations are made on behalf of our client, the Sadler Family who wish to Policy NE4 of the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version.

**Background**

Our clients own approximately 17 acres of farmland at Salthill Park which is edged red at Enclosure 1. The land has been promoted at all relevant opportunities to Chichester District Council but wish to confirm to Chichester District Council and the Inspector that the land is available for development.

**Site suitability**

The land is edged red in Appendix 1 of this statement and is identified as land east of Salthill Road. It has been identified in the HELAA under site ref HCC0038, Land north of New Bridge Farm for 264 dwellings. The land consists of agricultural land and a well-defined landscape boundary on all sides. The land immediately adjoins site allocation A6 West of Chichester for 1,600 units. Phase 1 of this land now has detailed permission, whilst the reserved matters for Phase 2 is being considered by Chichester District Council. In addition, we are also promoting part of an additional parcel of land to the south of this which is referenced HCC0038 in the HELAA.

Our clients have promoted the land at all opportunities and wanted to continue to make Chichester District Council and the Inspector aware of its availability.

**Policy NE4**

The policy is considered to be unsound, inconsistent national policy and is unjustified.

The owners object to these Strategic Wildlife Corridor (SWC) locations. The Council has not published its evidence base in the Regulation 19 consultation version for applying this new constraint layer. It states 'significant habitat surveys, data collection and evidence gathering to enable the mapping of the proposed corridors' has been undertaken, but it is not available to review for the Regulation 19 consultation.

Nor do the Council state the current use of these corridors, some are arable farmland and therefore do not necessarily present the best place for blanket 'additional layer of planning restraint' wildlife corridor. The Council have also not considered that these sites could have future development potential and maybe some of the better and more sustainable (with minimal other constraints) for future development in terms of sequential testing and are therefore precluding sustainable future development in these locations without having undertaken a proper assessment of all sites in the District.

The built environment and nature can work in unison and doesn't require blanket policy designations. Furthermore, the Council have not fully set out the methodology for applying a blanket 'strategic wildlife corridor' at the locations it proposes in the changes to the policy map. The Council have not fully consulted those affected by SWC and other stakeholders. The Council is further applying yet another restrictive 'additional layer of planning restraint' in a District which is already highly constrained, for example AONB, extensive areas covered by a National Park, the District contains large numerous ecological designations SSSI/SPA, Local Nature Reserves/National Nature Reserves and Nutrient Neutrality applies.

Accordingly, this further constraint, which appears to be located in areas adjacent to the existing settlements, where logically future periods of Plan growth would be located, appears unjustified and inappropriate in its current form.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/spt>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Barratt David Wilson Homes [7523]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

Object on grounds that evidence base in Reg 19 consultation not published; current use of Corridors not stated - could have sustainable future development potential; blanket policy designation not required, built environment and nature can work in unison; those affected by SWC and other stakeholders not consulted; District already highly constrained.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/syq>

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England strongly supports the inclusion of this policy which is clearly based on significant background evidence. Our view is that this policy is important in meeting the requirements of the NPPF for ecological networks (paragraphs 174(d) and 179(a)) and supports the Lawton principles for nature conservation sites of "more, bigger, better, joined up." We would welcome the opportunity to explore with you how these corridors will fit with the future Local Nature Recovery Strategy (LNRS) for Sussex.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Policy unsound due it not being effective and not justified. Support Strategic Wildlife Corridors and Policy in principle. Local Plan is, as far as we can tell, proposing Corridors in South of the Plan Area. Clearly these Corridors should also be planned and delivered in North of Plan Area as well. Currently no justification provided in Local Plan for excluding these Corridors from North of the District which also links to the South Downs National Park and two SACs at Ebernoe and The Mens.

**Full text:**

See attachment.

**Change suggested by respondent:**

Justify exclusion of corridors in the North of Plan Area

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

While Natural England strongly supports this policy, we would also like to propose the following modifications to make the policy even stronger:

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

Given the importance of the area for bats we would encourage reference in the supporting text to the Draft Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol (2018).

Point 1. should be expanded to state “There are no sequentially preferable sites available outside the wildlife corridor that also do not compromise the integrity and connectivity of sites, as identified through the LNRS”

We would query whether the policy could be more explicit about development that could impact the corridors given that the potential for impact is likely to vary significantly depending on the scale and nature of the development in question. What exactly is “close proximity?” We would certainly appreciate a discussion with you about how this policy will be applied in practice to development management applications.

The final sentence should be expanded to “All proposals for new development (with the exception of householder applications) within or in close proximity to wildlife corridors should take opportunities available in order to extend and enhance those corridors and have regard to opportunities identified in nature recovery strategies.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy NE4 Strategic Wildlife Corridors

**Respondent:** The Bramley Family [8087]

**Agent:** PowerHaus Consultancy (Ms Harriet Young, Planner) [8083]

**Summary:**

The site allocation for Policy NE4 Strategic Wildlife Corridors should be amended to only include the boundaries of proposed site given that the site is regularly managed and the Strategic Wildlife Corridors Local Plan Review Background Paper (December 2018) notes that the watercourses and field margins are only required within this sites section of the corridor in providing connectivity up to the A27 and beyond.

**Full text:**

See attached representation.

**Change suggested by respondent:**

The site allocation for Policy NE4 Strategic Wildlife Corridors should be amended to only include the boundaries of proposed site (HFB0012).

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Reg 19 Consultation Response - <https://chichester.oc2.uk/a/spk>  
Clay Lane Motivational Document - <https://chichester.oc2.uk/a/spz>  
Transport Site Accessibility Review - <https://chichester.oc2.uk/a/spm>

## Object

**Document Element:** Background, 4.19

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

Whilst the wildlife corridors receive a set of maps with outlines of their modest proportions, 'stepping stones' are neither defined, nor delimited spatially. It appears therefore as a piece of rhetorical padding.

Building on farmland is not going to produce a measurable net gain in biodiversity. In the site proposed at A11 there are mature hedgerows which will be disturbed.

**Full text:**

Whilst the wildlife corridors receive a set of maps with outlines of their modest proportions, 'stepping stones' are neither defined, nor delimited spatially. It appears therefore as a piece of rhetorical padding.

Building on farmland is not going to produce a measurable net gain in biodiversity. In the site proposed at A11 there are mature hedgerows which will be disturbed.

**Change suggested by respondent:**

The wildlife corridor stepping-stones referred to need to be defined clearly so that the public knows what this means.

Policy A11 Highgrove needs to be removed from the local plan

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Background, 4.20

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

"Development will also be expected to make a positive contribution to the ecological network, providing biodiversity net gain on site, and where this is not achievable locally off-site." I do not know what "locally" means? It would be a concern if BNG for one site is located elsewhere in the District.

Suggest you focus BNG on the Wildlife Corridors, the AONB, SSSIs, LNRs, NNRs, SACs, SPAs, Medmerry, etc. - the natural environment sites that need the help most.

**Full text:**

"Development will also be expected to make a positive contribution to the ecological network, providing biodiversity net gain on site, and where this is not achievable locally off-site." I do not know what "locally" means? It would be a concern if BNG for one site is located elsewhere in the District.

Suggest you focus BNG on the Wildlife Corridors, the AONB, SSSIs, LNRs, NNRs, SACs, SPAs, Medmerry, etc. - the natural environment sites that need the help most.

**Change suggested by respondent:**

Define what "locally" means.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Background, 4.22

**Respondent:** Mr Edward Bowring [7811]

**Summary:**

Fully support

**Full text:**

Fully support

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 4.22

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We support the reference in this paragraph to SuDS being a key standard feature in developments. SuDS can provide multiple benefits, including flood risk management, water quality enhancements and biodiversity enhancements. We would encourage retrofitting of SuDS into existing developed areas wherever possible as well.

**Full text:**

We support the reference in this paragraph to SuDS being a key standard feature in developments. SuDS can provide multiple benefits, including flood risk management, water quality enhancements and biodiversity enhancements. We would encourage retrofitting of SuDS into existing developed areas wherever possible as well.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 4.23

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

The specific reference to trees and hedgerows is welcome and appropriate.

**Full text:**

The specific reference to trees and hedgerows is welcome and appropriate.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 4.23

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Support in principle.

**Full text:**

A baseline needs to be established to prevent sites being cleared and evidence lost. This has happened in Chidham where sites have been stripped of vegetation before an application has been submitted. What would constitute evidence that this has happened? What would the penalties be? CDC Ecologists and Enforcement should be present when such works are scheduled. We have examples of where this has happened – planning application for Chaswood. This site was completely stripped before a planning application was sought. Planning application CALA Homes stripped out 80% of an entire hedge to make a temporary entrance which has now been superceded by the main entrance.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 4.23

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

A baseline needs to be established to prevent sites being cleared and evidence lost. This has happened in Chidham where sites have been stripped of vegetation before an application has been submitted. What would constitute evidence that this has happened? What would the penalties be? CDC Ecologists and Enforcement should be present when such works are scheduled. We have examples of where this has happened – planning application for Chaswood. This site was completely stripped before a planning application was sought. Planning application CALA Homes stripped out 80% of an entire hedge to make a temporary entrance which has now been superseded by the main entrance.

**Full text:**

A baseline needs to be established to prevent sites being cleared and evidence lost. This has happened in Chidham where sites have been stripped of vegetation before an application has been submitted. What would constitute evidence that this has happened? What would the penalties be? CDC Ecologists and Enforcement should be present when such works are scheduled. We have examples of where this has happened – planning application for Chaswood. This site was completely stripped before a planning application was sought. Planning application CALA Homes stripped out 80% of an entire hedge to make a temporary entrance which has now been superseded by the main entrance.

**Change suggested by respondent:**

A baseline for biodiversity gain should be reclarified and redefined.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

The phrase 'biodiversity net gain' has great importance in the NPPF, yet at least one site proposed for development (Highgrove Farm, Bosham) has an established database maintained by Sussex Biodiversity Record of over 100 species of birds alone. Yet the policy A11 does not refer to how this would be boosted by 10% either insitu or by offset.

**Full text:**

The phrase 'biodiversity net gain' has great importance in the NPPF, yet at least one site proposed for development (Highgrove Farm, Bosham) has an established database maintained by Sussex Biodiversity Record of over 100 species of birds alone. Yet the policy A11 does not refer to how this would be boosted by 10% either insitu or by offset.

**Change suggested by respondent:**

The site allocated in Policy A11 at Highgrove needs to be removed from the Local Plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT is supportive of the inclusion of a Biodiversity and Biodiversity Net Gain (BNG) policy, this is consistent with 174 & 175 of the NPPF 2021.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Unclear as to what development this policy applies to.

Point 1 indicates it is solely for housing sites

Point 2 - does this apply to all applications?

**Full text:**

Unclear as to what development this policy applies to.

Point 1 indicates it is solely for housing sites

Point 2 - does this apply to all applications?

**Change suggested by respondent:**

Clarify policy to make clear what a developments apply to it

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

This seems comprehensive. It is a shame that C. does not include the AONB as well, but I understand the reasons.

**Full text:**

This seems comprehensive. It is a shame that C. does not include the AONB as well, but I understand the reasons.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]

**Summary:**

Portsmouth Water support this policy.

**Full text:**

Portsmouth Water support this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Support in principle

**Full text:**

Care should be taken with developer claims of highly increased bio-diversity gains where the starting calculation is a site devoid of or having limited biodiversity due to its former function (e.g intensive agriculture) – the plan should set a minimum standard of gain for all sites reflecting their size and past development form.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Care should be taken with developer claims of highly increased bio-diversity gains where the starting calculation is a site devoid of or having limited biodiversity due to its former function (e.g intensive agriculture) – the plan should set a minimum standard of gain for all sites reflecting their size and past development form.

**Full text:**

Care should be taken with developer claims of highly increased bio-diversity gains where the starting calculation is a site devoid of or having limited biodiversity due to its former function (e.g intensive agriculture) – the plan should set a minimum standard of gain for all sites reflecting their size and past development form.

**Change suggested by respondent:**

The plan should set a minimum standard of gain for all sites reflecting their size and past development form

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

The inclusion of B and 3c referencing irreplaceable habitats, including ancient woodland and ancient or veteran trees, is welcome and appropriate.

**Full text:**

The inclusion of B and 3c referencing irreplaceable habitats, including ancient woodland and ancient or veteran trees, is welcome and appropriate. (For consistency, 3c should probably add ", ancient" before "and veteran trees".)

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE2, NE3, NE4, NE5, NE6, NE7, NE8, and NE10.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sj>



## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain  
**Respondent:** Wates Developments and Seaward Properties [8052]  
**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

We support the requirement of Policy NE5 to provide a minimum of 10% biodiversity net gain against a pre-development baseline.

**Full text:**

We support the requirement of Policy NE5 to provide a minimum of 10% biodiversity net gain against a pre-development baseline. Further, we agree that the Bird Aware Solent strategy is an effective mechanism for avoiding adverse effects on the Chichester and Langstone Harbours (SAC, SPA and Ramsar).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain  
**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

Proposes changes to ensure consistency with the NPPF and NPPG. Proposes a more ambitious target for BNG for major development sites. Urges CDC to consider how BNG will be addressed for phased development.

We also ask if CDC has considered a more ambitious target for BNG on its major development sites? We draw CDC's attention to the adopted biodiversity policy (DM18) within the Worthing Local Plan, which seeks to achieve 20% BNG on previously developed sites.

In Chapter 10 some allocations reference phased development, we encourage CDC to consider how BNG will be addressed in this approach in terms of delivery, to ensure that it comes forward in a proportionate and timely way.

**Full text:**

See attached representation.

**Change suggested by respondent:**

We propose the following amendments to the policy:

Within bullet point e), SWT proposes the addition of the word protected to priority, so that it will be consistent with NPPG Paragraph: 016 Reference ID: 8-016-20190721. With the amendment it would now read:

e) Protected and Priority Habitats and Species.

Point 3 e, we seek the removal of the term where possible at the end of the sentence. This will make it consistent with section 179 of the NPPF 2021. The new bullet point would read as follows;

e) Outside of designated sites:

Development proposals should identify and incorporate opportunities to conserve, restore and recreate priority habitats and ecological networks. Development proposals should take opportunities to contribute and deliver on the aims and objectives of the relevant biodiversity strategies where possible.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain  
**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

We support the inclusion of this policy within the Plan, however wish to make the observation that by default the sheer level of proposed development in close proximity to the Chichester Harbour SSSI/SPA/SAC site makes its delivery problematic.

**Full text:**

We support the inclusion of this policy within the Plan, however wish to make the observation that by default the sheer level of proposed development in close proximity to the Chichester Harbour SSSI/SPA/SAC site makes its delivery problematic. It would need to ensure that any new developments did not contribute any additional waste water, surface drainage and nutrients into water bodies entering Chichester Harbour. It would need to ensure that there was no additional recreational pressure on the harbour, and any that arose would need to be effectively mitigated - which at present is not in place. Any proposed mitigation must be properly resourced and monitored to ensure it is fit for purpose.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqp>

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Support in principle

**Full text:**

Offsite provision and biodiversity credits should be resisted as it will not result in any bio diversity gain for the development site and could lead to a significant loss.

a. Where an adverse impact on biodiversity is unavoidable, and no other option is available, this will only be supported where it has been demonstrated that the impact has been minimised as far as possible and, as a last resort, appropriate compensation provided for any remaining adverse impacts; There can be no compensation for any adverse impact on biodiversity. If that is the case planning permission should be refused at the outset.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Concerns about the appropriateness of off-site mitigation and biodiversity credits, along with the scope for compensation to adequately address detrimental impacts on biodiversity.

**Full text:**

Offsite provision and biodiversity credits should be resisted as it will not result in any bio diversity gain for the development site and could lead to a significant loss.

a. Where an adverse impact on biodiversity is unavoidable, and no other option is available, this will only be supported where it has been demonstrated that the impact has been minimised as far as possible and, as a last resort, appropriate compensation provided for any remaining adverse impacts; There can be no compensation for any adverse impact on biodiversity. If that is the case planning permission should be refused at the outset.

**Change suggested by respondent:**

Offsite provision and biodiversity credits should be resisted as it will not result in any biodiversity gain for the development site and could lead to a significant loss.

a. Where an adverse impact on biodiversity is unavoidable, and no other option is available, this will only be supported where it has been demonstrated that the impact has been minimised as far as possible and, as a last resort, appropriate compensation provided for any remaining adverse impacts;

There can be no compensation for any adverse impact on biodiversity. If that is the case planning permission should be refused at the outset.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

The Woodland Trust supports the policy to protect ancient woodland and to exclude irreplaceable habitats from net gain calculations.

**Full text:**

The Woodland Trust supports this policy and the protection for ancient woodland as an irreplaceable habitat, and the exclusion of irreplaceable habitats from net gain calculations.

We support setting a greater than 10% target for net gain where appropriate. By setting a more ambitious target, the Local Plan increases the chances that an average net gain of at least 10% will be delivered across the Plan area, given the possibility that some sites may not be able to deliver net gain within the District or that initiatives intended to deliver such gain may fall short in practice.

Therefore we suggest the following wording change to make the policy more effective:

1. Development proposals adhere to the NPPF mitigation hierarchy, and in addition, demonstrate that proposals provide a minimum of 10% net gain in biodiversity against a pre-development baseline. Where it is achievable, a 20%+ onsite net gain is encouraged.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** planners-manual-for-ancient-woodland.pdf - <https://chichester.oc2.uk/a/s54>

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

We support setting a greater than 10% target for net gain where appropriate. By setting a more ambitious target, the Local Plan increases the chances that an average net gain of at least 10% will be delivered across the Plan area, given the possibility that some sites may not be able to deliver net gain within the District or that initiatives intended to deliver such gain may fall short in practice.

**Full text:**

The Woodland Trust supports this policy and the protection for ancient woodland as an irreplaceable habitat, and the exclusion of irreplaceable habitats from net gain calculations.

We support setting a greater than 10% target for net gain where appropriate. By setting a more ambitious target, the Local Plan increases the chances that an average net gain of at least 10% will be delivered across the Plan area, given the possibility that some sites may not be able to deliver net gain within the District or that initiatives intended to deliver such gain may fall short in practice.

Therefore we suggest the following wording change to make the policy more effective:

1. Development proposals adhere to the NPPF mitigation hierarchy, and in addition, demonstrate that proposals provide a minimum of 10% net gain in biodiversity against a pre-development baseline. Where it is achievable, a 20%+ onsite net gain is encouraged.

**Change suggested by respondent:**

Therefore we suggest the following wording change to make the policy more effective:

1. Development proposals adhere to the NPPF mitigation hierarchy, and in addition, demonstrate that proposals provide a minimum of 10% net gain in biodiversity against a pre-development baseline. Where it is achievable, a 20%+ onsite net gain is encouraged

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** planners-manual-for-ancient-woodland.pdf - <https://chichester.oc2.uk/a/s54>

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Premier Marinas Limited [7981]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Premier suggests Draft Policy NE5 is amended to make specific reference to the completion of the 'relevant Defra Biodiversity Metric 3.1 (or equivalent)' as part of the Biodiversity Appraisal requirement in the interests of soundness to ensure the policy wording is effective and measurable, and also consistent with national policy in line with paragraph 35 (c and d) of the NPPF.

**Full text:**

Premier agree with the premise of Draft Policy NE5 and the acknowledge the 10% biodiversity net gain requirement is consistent with the Environment Bill 2021 which requires developments to achieve a minimum 10% biodiversity net gain from November 2023 (exact date TBC).

Premier recognise the unique qualities of the Chichester Marina's location and rural countryside setting, and considers that the protection of the environmental and landscape quality is extremely important. Premier acts as the long-term manager and steward of the Site and seeks to actively and appropriately manage users and the environmental setting for the benefit of existing wildlife and in in the interests of protecting key tidal habits and enhancing biodiversity.

Premier suggests Draft Policy NE5 is amended to make specific reference to the completion of the 'relevant Defra Biodiversity Metric 3.1 (or equivalent)' as part of the Biodiversity Appraisal requirement in the interests of soundness to ensure the policy wording is effective and measurable, and also consistent with national policy in line with paragraph 35 (c and d) of the NPPF.

**Change suggested by respondent:**

Premier suggests Draft Policy NE5 is amended to make specific reference to the completion of the 'relevant Defra Biodiversity Metric 3.1 (or equivalent)' as part of the Biodiversity Appraisal

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxq>

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Premier Marinas Limited [7981]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle

**Full text:**

Premier agree with the premise of Draft Policy NE5 and the acknowledge the 10% biodiversity net gain requirement is consistent with the Environment Bill 2021 which requires developments to achieve a minimum 10% biodiversity net gain from November 2023 (exact date TBC).

Premier recognise the unique qualities of the Chichester Marina's location and rural countryside setting, and considers that the protection of the environmental and landscape quality is extremely important. Premier acts as the long-term manager and steward of the Site and seeks to actively and appropriately manage users and the environmental setting for the benefit of existing wildlife and in the interests of protecting key tidal habits and enhancing biodiversity.

Premier suggests Draft Policy NE5 is amended to make specific reference to the completion of the 'relevant Defra Biodiversity Metric 3.1 (or equivalent)' as part of the Biodiversity Appraisal requirement in the interests of soundness to ensure the policy wording is effective and measurable, and also consistent with national policy in line with paragraph 35 (c and d) of the NPPF.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxq>

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Gladman Developments Ltd (Mr Rob Wilding, Senior Planner) [7816]

**Summary:**

Gladman consider a 10% Biodiversity Net Gain (BNG) target to be appropriate for the district as it complies with national guidance within the Environment Act which seeks a 10% BNG. The costs of delivering BNG varies significantly depending on the level of biodiversity on a site and can significantly impact viability.

Criterion 1d) of draft Policy NE5 refers to a 'last resort' scenario for developments for providing BNG by purchasing credits for through the national biodiversity credit scheme. The policy wording should allow for off-site BNG provision to be delivered on land outside of the local planning authority area that is controlled by either applicants or other landowners, or for a solution to be delivered via a BNG company.

An off-site solution, which is accepted as being appropriate in principle by some local authorities, is where the identified biodiversity (habitat) units required to deliver BNG would be secured through a BNG company such as the Environment Bank. These units would be secured through a satisfactory legal framework and appropriately worded planning condition would be attached to the planning permission.

**Full text:**

The NPPF encourages new trees being incorporated into new developments and the Environment Act suggests that biodiversity can be increased through creation of green corridors, planting more trees or forming local nature spaces, there is no minimum requirement for tree planting.

Gladman consider a 10% Biodiversity Net Gain (BNG) target to be appropriate for the district as it complies with national guidance within the Environment Act which seeks a 10% BNG. The costs of delivering BNG varies significantly depending on the level of biodiversity on a site and can significantly impact viability.

Criterion 1d) of draft Policy NE5 refers to a 'last resort' scenario for developments for providing BNG by purchasing credits for through the national biodiversity credit scheme. The policy wording should allow for off-site BNG provision to be delivered on land outside of the local planning authority area that is controlled by either applicants or other landowners, or for a solution to be delivered via a BNG company.

An off-site solution, which is accepted as being appropriate in principle by some local authorities, is where the identified biodiversity (habitat) units required to deliver BNG would be secured through a BNG company such as the Environment Bank. These units would be secured through a satisfactory legal framework and appropriately worded planning condition would be attached to the planning permission.

**Change suggested by respondent:**

The Council will need to clearly set out in draft Policy NE5 the extending timetable being given to small sites to ease the burden on small developers and LPAs. The Government's response to the consultation on the regulations for and implementation of BNG outlines that implementation of BNG on small sites will be extended to April 2024.

In addition, the policy wording should allow for off-site BNG provision to be delivered on land outside of the local planning authority area that is controlled by either applicants or other landowners, or for a solution to be delivered via a BNG company. An off-site solution, which is accepted as being appropriate in principle by some local authorities, is where the identified biodiversity (habitat) units required to deliver BNG would be secured through a BNG company such as the Environment Bank. These units would be secured through a satisfactory legal framework and appropriately worded planning condition would be attached to the planning permission.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain  
**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**  
 For consistency, 3c should probably add ", ancient" before "and veteran trees"

**Full text:**  
 The inclusion of B and 3c referencing irreplaceable habitats, including ancient woodland and ancient or veteran trees, is welcome and appropriate. (For consistency, 3c should probably add ", ancient" before "and veteran trees".)

**Change suggested by respondent:**  
 For consistency, 3c should probably add ", ancient" before "and veteran trees".

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain  
**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**  
 Encourage inclusion of reference to Local Nature Recovery Strategies, and providing a suitable buffer for watercourses.

**Full text:**  
 We are pleased to see that our comments at the Regulation 18 consultation have been incorporated. Since that time, the Environment Act 2021 has mandated Local Nature Recovery Strategies (LNRS) which are a system of spatial strategies for nature. They are designed as tools to encourage more coordinated practical and focused action and investment in nature. The LNRS will be useful to assist with delivery of this policy. Whilst the policy wording is sufficient, it may be worth more specific wording regarding LNRS being incorporated as suggested below:

"Opportunities to conserve, protect, enhance and recover biodiversity and contribute to wildlife and habitats connectivity will be undertaken, including the preservation, restoration and recreation of priority habitats, ecological networks and the protection and recovery of priority species populations. The Local Nature Recovery Strategy will be utilised to inform opportunities for nature recovery."

We would also encourage reflection in the accompanying text or within the policy that watercourses should have a suitable buffer provided (10 metres or more) in which no or very minimal structures are present to enhance habitats and natural river processes, assist with flood risk management and provide water quality enhancements. We have also reflected this in our comments on Policy NE15.

**Change suggested by respondent:**  
 Additional wording - "Opportunities to conserve, protect, enhance and recover biodiversity and contribute to wildlife and habitats connectivity will be undertaken, including the preservation, restoration and recreation of priority habitats, ecological networks and the protection and recovery of priority species populations. The Local Nature Recovery Strategy will be utilised to inform opportunities for nature recovery."

Reflecting a suitable buffer (10 metres plus) for watercourses.

**Legally compliant:** Yes  
**Sound:** No  
**Comply with duty:** Yes  
**Attachments:** None

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain  
**Respondent:** Home Builders Federation (Mr Mark Behrendt, Local Plans Manager SE and E) [7316]

**Summary:**  
 Policy is unsound as not consistent with transition requirements being proposed. The Government's response to the consultation on the regulations for and implementation of BNG outlines that implementation of BNG on small sites will be extended to April 2024.

**Full text:**  
 See attachment.

**Change suggested by respondent:**  
 The Council will need to clearly set out in the policy the extending timetable being given to small sites to ease the burden on small developers and LPAs.

**Legally compliant:** Not specified  
**Sound:** No  
**Comply with duty:** Not specified  
**Attachments:** HBF rep Chichester LP march 2023 redacted - <https://chichester.oc2.uk/a/sg6>

**Object****Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain**Respondent:** Bellway Homes (Wessex) Ltd [1573]**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]**Summary:**

Policy should retain some degree of flexibility.

**Full text:**

See attachment.

**Change suggested by respondent:**

Points c and d should be removed as they are too prescriptive and their points are already covered within the metric 3.1.

**Legally compliant:** Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>**Object****Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]**Agent:** Quod (Miss Jane Drumm) [7894]**Summary:**

Point 1d refers to a worst-case scenario of developments providing BNG by purchasing credits for through the national biodiversity credit scheme. The policy wording should also allow for off-site BNG provision to be delivered on land outside of the LPA area that is controlled by applicants or other landowners, or for a solution to be delivered via a BNG broker.

Similarly to draft Policies A8 and NE4, the requirement to avoid "any adverse impact" is more onerous than the NPPF threshold for refusal of planning permission which is "significant harm". NE5 should be amended accordingly.

**Full text:**

Please refer to submitted representations document.

**Change suggested by respondent:**

Please refer to submitted representations document.

We suggest that the criteria for permitting development proposals should be amended as follows:

(1.c) Net gain should be provided on-site in the first instance, and then locally off-site (as close as possible to the development site, or if that is not possible, elsewhere within Chichester District or the South Coast Plain NCA) where it should contribute towards strategic networks such as green infrastructure, wildlife corridors or nature recovery networks.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/sb9>REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/sbv>**Support****Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain**Respondent:** Bellway Homes (Wessex) Ltd [1573]**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]**Summary:**

Support in principle.

Bellway welcome the intent of draft policy NE5 and the opportunity to deliver net gain for biodiversity through new development, according with the Environment Act 2021

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

The RSPB would like to see the implementation of policy around Biodiversity Net Gain with a suggested minimum of 20% within Chichester district and around the county of Sussex, in order to gain a greater level of certainty for genuine net gain as a result of Biodiversity Net Gain policy and to see tangible net gain benefits for key priority species and habitats in the Borough.

**Full text:**

The RSPB supports Policy NE5 in general regarding the clearly outlined list of sites requiring conservation, protection, enhancement, and restoration of biodiversity in the district.

However, the RSPB would like to see more ambitious targets for nature recovery through Biodiversity Net Gain. Advice to Defra from members of the Natural Capital Committee suggests that a level of net gain at or above 10% is necessary to give reasonable confidence in halting biodiversity losses. Therefore, 10% sits as an absolute minimum level of net gain for Defra to confidently expect to deliver genuine net gain, or at least no net loss, of biodiversity and thereby meet its policy objectives. Defra's Biodiversity Net Gain Consultation Impact Assessment also highlights examples of an increase in the required percentage of net gain: 'The Planning authority for Lichfield District requires a net gain of 20% on new development, and experience to date suggests that developers are able to meet this requirement and often achieve much greater levels of biodiversity net gain.' The RSPB would therefore like to see the implementation of policy around Biodiversity Net Gain with a suggested minimum of 20% within Chichester district and around the county of Sussex, in order to gain a greater level of certainty for genuine net gain as a result of Biodiversity Net Gain policy and to see tangible net gain benefits for key priority species and habitats in the Borough.

Kent Nature Partnership have also explored the option of promoting a 20% BNG target for the county with a Viability Assessment commissioned by Kent County Council. Results of the assessment show that a shift from 10% to 15% or 20% BNG as a requirement will not materially affect viability in the majority of instances when delivered onsite or offsite. The biggest cost in most cases is to get to a mandatory, minimum 10% BNG. The increase to 15% or 20% BNG in most cases costs much less and is generally negligible. Because the BNG costs are low when compared to other policy costs, in no cases are they likely to be what renders development unviable.

Examples of its application can also be found in other counties in the South East, such as Surrey Nature Partnership. Further information on the recommendation for 20% Biodiversity Net Gain in Surrey's Local Authorities can be found on the Surrey Nature Partnership website. In addition, various Local Planning Authorities are currently pursuing a 20% BNG requirement in Local Plans, such as Guildford and Mole Valley in Surrey, and Worthing in Sussex.

Links to reports mentioned above can be found below:

Defra (2018) Biodiversity Net Gain Consultation Impact Assessment. Page 19. [https://consult.defra.gov.uk/land-use/net-gain/supporting\\_documents/181121%20%20Biodiversity%20Net%20Gain%20Consultation%20IA%20FINAL%20for%20publication.pdf](https://consult.defra.gov.uk/land-use/net-gain/supporting_documents/181121%20%20Biodiversity%20Net%20Gain%20Consultation%20IA%20FINAL%20for%20publication.pdf)

SQW (2022) Viability Assessment of Biodiversity Net Gain in Kent. <https://kentnature.org.uk/wp-content/uploads/2022/07/Viability-Assessment-of-Biodiversity-Net-Gain-in-Kent-June-2022.pdf>

Surrey Nature Partnership (2020) Recommendation for adoption of 20% minimum biodiversity net gain across Surrey's planning sector: a Surrey Nature Partnership Position Statement. [https://surreynaturepartnership.files.wordpress.com/2020/11/recommendation-for-20-bng-in-surrey\\_snp-november2020\\_final.pdf](https://surreynaturepartnership.files.wordpress.com/2020/11/recommendation-for-20-bng-in-surrey_snp-november2020_final.pdf)

**Change suggested by respondent:**

A suggested minimum of 20% Biodiversity Net Gain within Chichester district

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** RSPB-Response-to-Chichester-Local-Plan-Regs-19-17-03-23 - <https://chichester.oc2.uk/a/try>

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

The RSPB supports Policy NE5 in general regarding the clearly outlined list of sites requiring conservation, protection, enhancement, and restoration of biodiversity in the district.

**Full text:**

The RSPB supports Policy NE5 in general regarding the clearly outlined list of sites requiring conservation, protection, enhancement, and restoration of biodiversity in the district.

However, the RSPB would like to see more ambitious targets for nature recovery through Biodiversity Net Gain. Advice to Defra from members of the Natural Capital Committee suggests that a level of net gain at or above 10% is necessary to give reasonable confidence in halting biodiversity losses. Therefore, 10% sits as an absolute minimum level of net gain for Defra to confidently expect to deliver genuine net gain, or at least no net loss, of biodiversity and thereby meet its policy objectives. Defra's Biodiversity Net Gain Consultation Impact Assessment also highlights examples of an increase in the required percentage of net gain: 'The Planning authority for Lichfield District requires a net gain of 20% on new development, and experience to date suggests that developers are able to meet this requirement and often achieve much greater levels of biodiversity net gain.' The RSPB would therefore like to see the implementation of policy around Biodiversity Net Gain with a suggested minimum of 20% within Chichester district and around the county of Sussex, in order to gain a greater level of certainty for genuine net gain as a result of Biodiversity Net Gain policy and to see tangible net gain benefits for key priority species and habitats in the Borough.

Kent Nature Partnership have also explored the option of promoting a 20% BNG target for the county with a Viability Assessment commissioned by Kent County Council. Results of the assessment show that a shift from 10% to 15% or 20% BNG as a requirement will not materially affect viability in the majority of instances when delivered onsite or offsite. The biggest cost in most cases is to get to a mandatory, minimum 10% BNG. The increase to 15% or 20% BNG in most cases costs much less and is generally negligible. Because the BNG costs are low when compared to other policy costs, in no cases are they likely to be what renders development unviable.

Examples of its application can also be found in other counties in the South East, such as Surrey Nature Partnership. Further information on the recommendation for 20% Biodiversity Net Gain in Surrey's Local Authorities can be found on the Surrey Nature Partnership website. In addition, various Local Planning Authorities are currently pursuing a 20% BNG requirement in Local Plans, such as Guildford and Mole Valley in Surrey, and Worthing in Sussex.

Links to reports mentioned above can be found below:

Defra (2018) Biodiversity Net Gain Consultation Impact Assessment. Page 19. [https://consult.defra.gov.uk/land-use/net-gain/supporting\\_documents/181121%20%20Biodiversity%20Net%20Gain%20Consultation%20IA%20FINAL%20for%20publication.pdf](https://consult.defra.gov.uk/land-use/net-gain/supporting_documents/181121%20%20Biodiversity%20Net%20Gain%20Consultation%20IA%20FINAL%20for%20publication.pdf)

SQW (2022) Viability Assessment of Biodiversity Net Gain in Kent. <https://kentnature.org.uk/wp-content/uploads/2022/07/Viability-Assessment-of-Biodiversity-Net-Gain-in-Kent-June-2022.pdf>

Surrey Nature Partnership (2020) Recommendation for adoption of 20% minimum biodiversity net gain across Surrey's planning sector: a Surrey Nature Partnership Position Statement. [https://surreynaturepartnership.files.wordpress.com/2020/11/recommendation-for-20-bng-in-surrey\\_snp-november2020\\_final.pdf](https://surreynaturepartnership.files.wordpress.com/2020/11/recommendation-for-20-bng-in-surrey_snp-november2020_final.pdf)

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** RSPB-Response-to-Chichester-Local-Plan-Regs-19-17-03-23 - <https://chichester.oc2.uk/a/try>

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

Merely installing a few bat and bird boxes in suburbanised areas will be to pay lip service to protecting and enhancing biodiversity. There appears to be no consideration given to the creation of a protected Nature Reserve between Settlements which would provide a great community asset and the essential relief for wildlife from so much exposure to humans and their way of life.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning



approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to it long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Mr Oliver Gale [8154]

**Summary:**

The plan is not legally compliant because it does not protect or enhance the natural environment in the proposal to include the access from Saxon Meadow to Church Lane as it does not allow a 15 metre buffer zone from veteran trees. It would also require the removal of the pond. [see attached representation].

**Full text:**

See representation

**Change suggested by respondent:**

Modify the plan to leave the access road from Saxon Meadow to Church Lane out of the plan.

**Legally compliant:** No

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** P11 Paper Submission - redacted - <https://chichester.oc2.uk/a/sz3>  
 T1 Paper submission - <https://chichester.oc2.uk/a/szv>  
 8.12 redacted - <https://chichester.oc2.uk/a/szb>  
 8.13 redacted - <https://chichester.oc2.uk/a/szc>  
 A14 redacted - <https://chichester.oc2.uk/a/szd>  
 NE5 Redacted - <https://chichester.oc2.uk/a/szw>  
 10.64 Redacted - <https://chichester.oc2.uk/a/szf>  
 A14 ORCHARD - redacted - <https://chichester.oc2.uk/a/szj>

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Whilst it would be a preference to purchase any off-site units within CDC, there is limited availability of units. It is expected that there is the ability to source units, still meeting the DEFRA trading rules, in a neighbouring area or even further afield before using the statutory credit scheme as a last resort.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

Support in principle.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/smp>

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Policy needs to reflect extended timetable being given to small sites to ease burden on small developers and LPAs. Government's response to the consultation on the regulations for and implementation of BNG outlines that implementation of BNG on small sites will be extended to April 2024.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Suez (Sita UK) (Emma Smyth, Senior Planning Manager) [11]

**Summary:**

Supports the objectives but suggests some changes

**Full text:**

This representation is made by SUEZ Recycling & Recovery Southern Ltd (SUEZ), who along with SUEZ Recycling & Recovery UK Ltd forms part of the SUEZ group of companies within the UK. This representation is made in response to the Chichester Local Plan 2021-2039 Proposed Submission consultation.

SUEZ Recycling & Recovery Southern Ltd are the landowner of part of the land subject to the draft strategic site allocation 'Land East of Chichester' identified in draft Policy A8.

**Change suggested by respondent:**

Replace " any adverse impact" with " significant harm".

Include a new provision for off site net gain outside of Chichester District.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Reg 19 SUEZ Response - 17-03-22.pdf - <https://chichester.oc2.uk/a/sdp>

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Suez (Sita UK) (Emma Smyth, Senior Planning Manager) [11]

**Summary:**

Support in principle

**Full text:**

This representation is made by SUEZ Recycling & Recovery Southern Ltd (SUEZ), who along with SUEZ Recycling & Recovery UK Ltd forms part of the SUEZ group of companies within the UK. This representation is made in response to the Chichester Local Plan 2021-2039 Proposed Submission consultation.

SUEZ Recycling & Recovery Southern Ltd are the landowner of part of the land subject to the draft strategic site allocation 'Land East of Chichester' identified in draft Policy A8.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Reg 19 SUEZ Response - 17-03-22.pdf - <https://chichester.oc2.uk/a/sdp>

## Object

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

Whilst support overall objective of policy, first paragraph is insufficiently flexible to discharge the remaining criteria of policy. For example, in instances where 'protection' or 'adverse impact' cannot be avoided, but can be reduced in accordance with the mitigation hierarchy, and / or the benefits clearly outweigh the likely impact. Wording of first paragraph neither 'justified' nor likely to be 'effective' in its current form. It is assumed reading the remainder of the policy that this may be an unintended consequence. Second paragraph also duplicates provisions in remaining criteria of policy.

**Full text:**

See attachment.

**Change suggested by respondent:**

Delete introductory paragraph including A to H.

Remaining policy text addresses elements omitted and is therefore sufficient to deliver policy objectives in their own right.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/smp>

## Support

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England welcomes the plan's commitment to achieving a minimum of 10% biodiversity net gain across all development proposals and recognises the viability constraints of increasing the percentage further due to other developer contribution requirements within the district.

It is pleasing to see that our previous, informal advice (provided October and December 2021) has been taken into account and that Policy NE5 now sets out how BNG should be provided on-site in the first instance and then locally off-site if this is not feasible, where it should contribute to strategic networks (nature recovery networks, green infrastructure, wildlife corridors). The revised policy also makes it clear that designated sites and irreplaceable habitats are excluded from net gain metrics, as they are irreplaceable and subject to their own legislative tests, which is an important distinction to make.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Document Element:** Policy NE5 Biodiversity and Biodiversity Net Gain

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Our advice remains to make reference to the production of a Supplementary Planning Document (SPD) to provide details of how net gain will be effectively delivered, particularly for proposals meeting their BNG requirements off-site including:

- biodiversity at risk locally and how BNG can help restore it;
- existing important biodiversity assets and their connectivity within the district;
- most and least favourable areas for BNG to occur, underpinned by evidence;
- how BNG can link to strategic networks such as NRNs and SWCS.

Encourage inclusion of a policy hook in relation to Local Network Recovery Strategies to futureproof the Plan.

**Full text:**

**Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

Would suggest that a reference is made in the supporting text and that the policy itself could be expanded with the following wording:

Opportunities to conserve, protect, enhance and recover biodiversity and contribute to wildlife and habitats' connectivity will be undertaken, including the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations having regard to the LNRS to identify such opportunities.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Document Element:** Background, 4.26

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

The legislation we believe this refers to includes: the Chichester Harbour Conservancy Act 1971, Wildlife and Countryside Act 1981 and Conservation of Habitats and Species Regulations 2017. 4.27 of the proposed local plan makes it clear that the paragraph above applies to the harbours. Chichester Harbour is currently being impacted adversely by sewage outflows. The outflows at Bosham discharged more than any other site in 2022 (882.38 hours or 36.8 full days). There is no mitigation proposed in the plan for dealing with this.

**Full text:**

The legislation we believe this refers to includes: the Chichester Harbour Conservancy Act 1971, Wildlife and Countryside Act 1981 and Conservation of Habitats and Species Regulations 2017. 4.27 of the proposed local plan makes it clear that the paragraph above applies to the harbours. Chichester Harbour is currently being impacted adversely by sewage outflows. The outflows at Bosham discharged more than any other site in 2022 (882.38 hours or 36.8 full days). There is no mitigation proposed in the plan for dealing with this.

**Change suggested by respondent:**

Policy A11 needs to be removed from the plan as it is not an appropriate development because of the sewage outflow situation.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Background, 4.27

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

To propose development on the scale suggested in the proposed local plan where there is no timetabled plan clearly defined to upgrade the sewerage network or increase capacity for wastewater treatment could be argued to be a dereliction of the statutory duty, mentioned in paragraph 4.26

**Full text:**

To propose development on the scale suggested in the proposed local plan where there is no timetabled plan clearly defined to upgrade the sewerage network or increase capacity for wastewater treatment could be argued to be a dereliction of the statutory duty, mentioned in paragraph 4.26

**Change suggested by respondent:**

The scale of the development in the local plan needs to be reduced to 2699 houses.

Policy A11 and A12 need to be removed from the plan.

Policy A13 needs to be scaled down to 300 houses.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Solent Coast SPAs, 4.28

**Respondent:** Mrs Clare Gordon-Pullar [7010]

**Summary:**

The plan is missing one significant pressure on the harbour which is sewage pollution from Southern Water's treatment plants.

**Full text:**

The plan is missing one significant pressure on the harbour which is sewage pollution from Southern Water's treatment plants.

**Change suggested by respondent:**

Acknowledgement needs to be made of this issue and consideration taken as to what the District Council could do to help mitigate this.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Solent Coast SPAs, 4.28

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

The section of supporting text relating to the Solent Coast SPAs should also cover the Solent Maritime SAC.

Paragraph 4.28 only makes reference to nitrate pollution and recreational disturbance as two particular pressures on the harbours. In the recent condition assessment of Chichester Harbour (referenced elsewhere in the plan) over half the saltmarsh has been lost since designation mainly due to coastal management and coastal squeeze.

We would strongly advise that given the significance of the issue that policy requirements are also included in this policy (NE6) and NE12 Development Around the Coast).

**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

We would urgently advise that a third pressure to the harbours should be added which is inappropriate coastal management (resulting in significant impacts including coastal squeeze).

While we appreciate the references to coastal squeeze in policies NE11 and NE15 we would strongly advise that given the significance of the issue that policy requirements are also included in this policy (NE6) and NE12 Development Around the Coast).

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Object**

**Document Element:** Solent Coast SPAs, 4.29

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

The word used in paragraph 4.29 is 'essential' which does not imply that this condition is an optional requirement but a mandatory one. The development proposed in Policy A11 needs to have a plan in place to offset nitrates but cannot demonstrate it will be nutrient neutral. The lack of provision for offsetting nitrates would bring Policy A11 into conflict with this paragraph of the local plan. The plan cannot be sound if it is in conflict with itself.

**Full text:**

The word used in paragraph 4.29 is 'essential' which does not imply that this condition is an optional requirement but a mandatory one. The development proposed in Policy A11 needs to have a plan in place to offset nitrates but cannot demonstrate it will be nutrient neutral. The lack of provision for offsetting nitrates would bring Policy A11 into conflict with this paragraph of the local plan. The plan cannot be sound if it is in conflict with itself.

**Change suggested by respondent:**

Policy A11 needs to be removed from the local plan.

Other sites proposed which require nitrate offsetting should also be removed unless there is a plan in place for offsetting nitrates.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

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**Object**

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**Document Element:** Arun Valley SPA and SAC, 4.31

**Respondent:** Southern Water (Ms C Mayall) [1306]

**Summary:**

Paragraph 4.31 - adjustments to this paragraph are requested in order to ensure consistency, clarity and accuracy of the paragraph in relation to other references in the Chichester Local Plan to Southern Water's supply in the Sussex North Water Resource Zone, as follows;

**Full text:**

Paragraph 4.31 - adjustments to this paragraph are requested in order to ensure consistency, clarity and accuracy of the paragraph in relation to other references in the Chichester Local Plan to Southern Water's supply in the Sussex North Water Resource Zone, as follows;

**Change suggested by respondent:**

4.31 The Arun Valley SPA, SAC and Ramsar site lies within the Sussex North Water Resource Zone which is partly served by supplies from groundwater abstractions near Pulborough.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

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**Object**

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**Document Element:** The Mens, Ebernoe Common and Singleton & Cocking Tunnels SACs, 4.32

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

Not sound and not legally compliant given that this fails to provide a reference to the Habitats Regulations Assessment findings which stated that "Barbastelle bats are known to travel substantial distances from their roosts to feeding sites. A study on barbastelle bats determined that home range distances show considerable inter-individual differences, with bats traveling between 1 and 20km to reach their foraging areas" (para 3.40, HRA), which means that the land to the west of Tangmere is within their foraging range.



**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergency"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversity"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"
23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

To make this sound, add text to the local plan to highlight this important matter:

4.32 The Mens, Ebernoe Common and Singleton & Cocking Tunnels SACs are designated habitats for their Bechstein's and barbastelle bat populations. Applicants intending to submit proposals for development within the functionally linked conservation zones, as specified in the policy, should have regard to the Draft Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol (Natural England, 2018), or any subsequent equivalent document, and Policy NE6. It is noted that the masterplan relating to Tangmere is less than 12km from Singleton tunnel.

"Barbastelle bats are known to travel substantial distances from their roosts to feeding sites. A study on barbastelle bats determined that home range distances show considerable inter-individual differences, with bats traveling between 1 and 20km to reach their foraging areas" (para 3.40, HAR), which means that the land to the west of Tangmere is within their foraging range.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>

Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Support

**Document Element:** The Mens, Ebernoe Common and Singleton & Cocking Tunnels SACs, 4.32

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The Estate will work with the local planning authority to expand upon the proposed wildlife corridors, particularly in respect of land around the circuit and aerodrome. The existing bridleway adjacent, and recent planting, is one opportunity to provide additional corridor provision linking with the Tunnels SAC across Estate Land.

**Full text:**

The Estate will work with the local planning authority to expand upon the proposed wildlife corridors, particularly in respect of land around the circuit and aerodrome. The existing bridleway adjacent, and recent planting, is one opportunity to provide additional corridor provision linking with the Tunnels SAC across Estate Land.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

An important Policy.

**Full text:**

An important Policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats  
**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]

**Summary:**

Portsmouth Water support this policy.

**Full text:**

Portsmouth Water support this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

Cross reference to our response to NE5.

We support the inclusion and comprehensiveness of this policy, but argue that it is in effect incompatible with the levels of development proposed in the Plan, particularly relating to the east-west corridor between Chichester and Emsworth, along the boundary of the Chichester Harbour SSSI/SPA/SAC designated site. Any proposed mitigation measures must be deliverable, funded and monitored effectively, otherwise they will not have an impact in preventing further ecological deterioration of the Harbour.

**Full text:**

Cross reference to our response to NE5.

We support the inclusion and comprehensiveness of this policy, but argue that it is in effect incompatible with the levels of development proposed in the Plan, particularly relating to the east-west corridor between Chichester and Emsworth, along the boundary of the Chichester Harbour SSSI/SPA/SAC designated site. Any proposed mitigation measures must be deliverable, funded and monitored effectively, otherwise they will not have an impact in preventing further ecological deterioration of the Harbour.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqq>

## Support

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

We particularly welcome and support the reference to the Mens SAC, Ebernoe Common SAC and Singleton & Cocking Tunnels SAC conservation area zones and the Sussex Bat SAC Planning and Landscape Scale Enhancement Protocol.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Support

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE2, NE3, NE4, NE5, NE6, NE7, NE8, and NE10.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are supportive of this policy and the references to Water Neutrality and Nutrient Neutrality relating to the Sussex North Water Resource Zone and Chichester and Langstone Harbours Special Protected Area respectively. Proposals by developers to address these issues (such as creating wetlands or obtaining water supply from boreholes) may have requirements for environmental permits from us. Early engagement with us is encouraged to check whether such permits can feasibly be obtained for any such proposals.

**Full text:**

We are supportive of this policy and the references to Water Neutrality and Nutrient Neutrality relating to the Sussex North Water Resource Zone and Chichester and Langstone Harbours Special Protected Area respectively. Proposals by developers to address these issues (such as creating wetlands or obtaining water supply from boreholes) may have requirements for environmental permits from us. Early engagement with us is encouraged to check whether such permits can feasibly be obtained for any such proposals.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

We support this policy in full. In particular, we support greater protection of rare bats particularly Barbastelles which commute through our Parish to the AONB and need dark skies and lack of interference in their commuting routes.

**Full text:**

We support this policy in full. In particular, we support greater protection of rare bats particularly Barbastelles which commute through our Parish to the AONB and need dark skies and lack of interference in their commuting routes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Premier acknowledge the practical difficulties in guaranteeing nutrient neutral position for the lifetime of the development and suggest the 'appropriate mitigation' has regard for existing residents and the commercial viability of businesses and is proportionate to the scale of development proposed to ensure this doesn't not render development unviable and to avoid overburdening local residents and businesses.

**Full text:**

Premier agree with the premise of Draft Policy NE6 and recognise the need to address water and nutrient neutrality issues. That said, Premier acknowledge the practical difficulties in guaranteeing nutrient neutral position for the lifetime of the development and suggest the 'appropriate mitigation' has regard for existing residents and the commercial viability of businesses and is proportionate to the scale of development proposed to ensure this doesn't not render development unviable and to avoid overburdening local residents and businesses.

Premier recognise the unique qualities of the Chichester Marina's location and the areas' international and national designated habitats. With this in mind and factoring in Premier's responsibilities as the long-term manager and steward of the Site, Premier is committed to protecting Chichester Marina's sensitive habitats in the interests of protecting local wildlife.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxp>

## Support

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle. Premier agree with the premise of Draft Policy NE6 and recognise the need to address water and nutrient neutrality issues. Premier recognise the unique qualities of Chichester Marina's location and the area's international and national designated habitats. Premier is committed to protecting sensitive habitats in the interests of protecting local wildlife.

**Full text:**

Premier agree with the premise of Draft Policy NE6 and recognise the need to address water and nutrient neutrality issues. That said, Premier acknowledge the practical difficulties in guaranteeing nutrient neutral position for the lifetime of the development and suggest the 'appropriate mitigation' has regard for existing residents and the commercial viability of businesses and is proportionate to the scale of development proposed to ensure this doesn't not render development unviable and to avoid overburdening local residents and businesses. Premier recognise the unique qualities of the Chichester Marina's location and the areas' international and national designated habitats. With this in mind and factoring in Premier's responsibilities as the long-term manager and steward of the Site, Premier is committed to protecting Chichester Marina's sensitive habitats in the interests of protecting local wildlife.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxp>

## Object

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

It is respectfully suggested that the policy be accompanied by an inset map showing the respective zones of influence.

**Full text:**

See attachment.

**Change suggested by respondent:**

To provide an inset map showing the habitat zones of influence to accompany the policy.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Support

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway supports draft Policy NE6 which has regard to Internationally and Nationally designated sites. Bellway understand that development is only permitted where it can be demonstrated that it would not lead to an adverse effect on the integrity, either alone or in combination, directly or indirectly, to internationally, European and nationally important habitat sites. Explicit reference to the designation and features provides helpful clarification.

**Full text:**

See attachment.

**Change suggested by respondent:**

It is respectfully suggested that the policy be accompanied by an inset map showing the respective zones of influence.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England are pleased that previous advice has been incorporated but have two final points to make to improve the clarity of the policy:

We aren't clear how the policy relates to "nationally" designated habitats. All the sites specifically referred to in the policy are SACs, SPAs and Ramsar sites – European or international designations, while the language used in the policy "adverse effect on integrity, either alone or in-combination" comes directly from the Conservation of Habitats and Species Regulations 2017 (as amended) – legislation to protect internationally important nature conservation sites. All of the strategic planning approaches summarised and signposted in the policy, including water and nutrient neutrality and bird disturbance, have been driven by the requirements of the Habitats Regulations (as interpreted by subsequent caselaw).

References to the Arun Valley Ramsar site have been missed, and full reference should be made to the Chichester and Langstone Harbours SPA.

**Full text:**

**Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and

Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

We would suggest you consider amending the title to "Internationally Designated Habitats" only and that nationally designated sites are sufficiently covered under the relevant section of Policy NE5.

There are several instances including paragraph 4.27, the title of paragraph 4.31 and policy point a) where reference to the Arun Valley Ramsar site has been missed.

To avoid any confusion we would encourage reference to the Chichester and Langstone Harbours SPA as this is the correct, full name of the site (even though it is only the Chichester Harbour section that falls within the district).

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy NE6 Chichester's Internationally and Nationally Designated Habitats

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Question why d) specifies 'greenfield' sites. Is there an assumption that previously developed land cannot support commuting and foraging habitats? Policy makes no mention of Atmospheric Pollution despite this being highlighted in the HRA as having an impact on the Ebernoe SAC resulting from nitrogen deposition (arising from the A283) above the critical load for beech forest. Should be addressed in this policy and be specified as a requirement that needs to be assessed. If CDC is signed up to Protocol mentioned and it is not in 'draft' form, development proposals should be required to adhere to Protocol rather than just have 'regard' to it.

**Full text:**

See attachment.

**Change suggested by respondent:**

Wording of the Policy appears weakly drafted where it states that "due regard to the possibility that barbastelle and Bechstein's bats will be utilising the site". This wording should be strengthened. Policy requires 'necessary surveys' but it should be clear about what surveys are required. Policy should be clear about scale and form of buffers rather than leaving it completely open. Policy should require that proposals undertake bat surveys as early as possible and that surveys should provide evidence over sufficient time.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

**Document Element:** Background, 4.34

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

I think you should reference the 2021 SSSI Condition Review of Chichester Harbour here.

**Full text:**

I think you should reference the 2021 SSSI Condition Review of Chichester Harbour here.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT supports the inclusion of this policy in the Chichester Local Plan as one of the mechanisms to fulfil the requirement of section 179 of the NPPF.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

.

**Full text:**

.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE2, NE3, NE4, NE5, NE6, NE7, NE8, and NE10.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Olii Haydon) [8051]

**Summary:**

We agree that the Bird Aware Solent strategy is an effective mechanism for avoiding adverse effects on the Chichester and Langstone Harbours (SAC, SPA and Ramsar).

**Full text:**

We support the requirement of Policy NE5 to provide a minimum of 10% biodiversity net gain against a pre-development baseline. Further, we agree that the Bird Aware Solent strategy is an effective mechanism for avoiding adverse effects on the Chichester and Langstone Harbours (SAC, SPA and Ramsar).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

"They should also have regard to the Chichester Harbour AONB Management Plan." 1) I don't think it is enough to "have regard to". Please change to "meet the policy aims of..". I can have regard for someone else - but so what? It doesn't mean anything. Please tighten the wording up. 2) What does "They should" mean? Who is They? - Regardless, I think the sentence needs revising, but don't delete it.

**Full text:**

"They should also have regard to the Chichester Harbour AONB Management Plan." 1) I don't think it is enough to "have regard to". Please change to "meet the policy aims of..". I can have regard for someone else - but so what? It doesn't mean anything. Please tighten the wording up. 2) What does "They should" mean? Who is They? - Regardless, I think the sentence needs revising, but don't delete it.

**Change suggested by respondent:**

"They should also have regard to the Chichester Harbour AONB Management Plan." 1) I don't think it is enough to "have regard to". Please change to "meet the policy aims of..". I can have regard for someone else - but so what? It doesn't mean anything. Please tighten the wording up. 2) What does "They should" mean? Who is They? - Regardless, I think the sentence needs revising, but don't delete it.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Support

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway support draft Policy NE7, acknowledging the Council's duty to protect internationally important wildlife sites.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Support

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

The RSPB supports Policy NE7 and the protection of internationally important habitats from impacts through development. The RSPB considers that policy NE7 clearly defines the requirements for protection of SPAs in conjunction with the Conservation of Habitats and Species Regulations 2017 (as amended) and the steps for developers and planners to ensure impacts are fully avoided or mitigated for Chichester and Langstone Harbours SPA, Pagham Harbour SPA, and Medmerry Compensation Habitat.

**Full text:**

The RSPB supports Policy NE7 and the protection of internationally important habitats from impacts through development. The RSPB considers that policy NE7 clearly defines the requirements for protection of SPAs in conjunction with the Conservation of Habitats and Species Regulations 2017 (as amended) and the steps for developers and planners to ensure impacts are fully avoided or mitigated for Chichester and Langstone Harbours SPA, Pagham Harbour SPA, and Medmerry Compensation Habitat.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** RSPB-Response-to-Chichester-Local-Plan-Regs-19-17-03-23 - <https://chichester.oc2.uk/a/trp>

## Support

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

This as a policy appears on the surface to be strong and very relevant to development within close proximity to the Harbour.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to

Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

Significant attention to connectivity is vitally important and unless the rapid decline in the condition of our harbours is reversed quickly, and we achieve some increase in both resident and visiting bird species, the future of the AONB will be very much at risk.

Once again how can paying some money or finding some way to fudge the outcome of this policy be allowed. It is "but" thinking which is neither strategic nor affords the protection these designated areas deserve. Accountability needs to be clear and unequivocal. What does a contribution look like? Money cannot restore diversity.

#### Full text:

## Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

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6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

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13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding

will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

#### Summary:

We note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

#### Full text:

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

#### Chapter 2: Vision & Strategic Objectives

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

#### Chapter 3: Spatial Strategy and Settlement Hierarchy

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

#### Policy S1 Spatial Development Strategy

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

#### Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving,

South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

#### Chapter 4: Climate Change and the Natural Environment

##### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

##### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

##### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

#### Chapter 5: Housing

##### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

##### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

##### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

##### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no

limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

#### Chapter 6: Place-making

##### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

#### Chapter 7: Employment and Economy

##### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
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- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period." Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

#### Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council's proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE's land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

##### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

#### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

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Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

##### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

#### Change suggested by respondent:

It is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
 D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
 East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
 Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
 Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
 Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Support

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

### Summary:

Support in principle

### Full text:

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

#### Chapter 2: Vision & Strategic Objectives

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

#### Chapter 3: Spatial Strategy and Settlement Hierarchy

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

#### Policy S1 Spatial Development Strategy

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

#### Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

#### Chapter 4: Climate Change and the Natural Environment

##### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.



CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

#### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

#### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

### Chapter 5: Housing

#### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

#### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

#### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

#### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will

be expected to provide robust evidence...’.

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of ‘some market housing’ where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

‘Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included’.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add ‘where appropriate and viable’, acknowledging that viability and site-specific factors need to be taken into consideration.

#### Chapter 6: Place-making

##### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

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the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

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The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

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#### Conclusion

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-

**Legally compliant:** Not specified

**Sound:** Not specified

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**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
 D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
 East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
 Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
 Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
 Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England welcomes this policy and the improvements that have been made to it following our advice from Regulation 18 onwards, particularly the inclusion of the Solent and Dorset Coast SPA and the Medmerry Compensatory Habitat. However, we raised a number of relevant points that do not appear to have been addressed and would reiterate them again as necessary to improve the clarity of the policy [see changes to plan].

**Full text:**

**Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

For the Pagham policy section, reference to the LNR Management Plan should be removed in clause a. The joint scheme of mitigation is separate from the Management Plan, the latter is focused on managing the current visitor experience, not mitigating additional visitor pressure. Therefore, whilst the joint scheme of mitigation should not hinder the LNR Management Plan, it does not need to be in accordance with it.

It would be helpful to expand the parts of the policy on loss of functionally linked land and make them more distinct from the consideration of recreational disturbance impacts.

It should also be made clear that the recreational disturbance part of the policy applies only to residential or tourist accommodation, whereas any type of development could impact functionally linked land (we suggest that this could be addressed in the supporting text through an expansion of paragraph 4.39).

In addition to the above points which have been raised previously we would also recommend the removal of the first sentence in the second paragraph of the Pagham policy section which reads "Net increases in residential development, which incorporates appropriate avoidance/mitigation measures, which would avoid any likelihood of a significant effect on the SPA, will not require Appropriate Assessment." This appears to be contrary to the current interpretation of the Habitats Regulations following the People over Wind ruling which found that avoidance/mitigation measures could not be taken into account at the screening stage (determination of likely significant effect) but instead required the proposal to be taken through to Appropriate Assessment.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Document Element:** Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Support in principle. Natural England welcomes this policy and the improvements that have been made to it following our advice from Regulation 18 onwards, particularly the inclusion of the Solent and Dorset Coast SPA and the Medmerry Compensatory Habitat.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Background, 4.41

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

The definition of "valued" tree should not be limited to BS5837 (currently under review) including considering self-sown trees as having the potential to be valued trees, subject to context.

**Full text:**

Chichester Tree Wardens (volunteers) do not have access to BS5837 Trees in relation to design, demolition and construction – Code of Practice, but note that it is under review (<https://standardsdevelopment.bsigroup.com/projects/9022-07743#/section>). Based on the classification system we have seen in tree consultants' reports, trees may be "valued" by our local community and wildlife that are considered appropriate to fell under traditional arboricultural practice. (We have a recent example of a change in approach for a development proposal as a result of our and CDC's Environment representations.) We don't know whether changing attitudes to "over mature" trees and biodiversity will be picked up in the BS5837.

Additionally, trees under 75mm stem diameter at 1.5m above ground level may be significant - self-sown baby trees are the trees of the future, biosecure from local genetic stock, needing little maintenance, with established soils and mycorrhizal connections, and more likely to thrive than an equivalent planted from nursery stock. They offer an important opportunity to naturally regenerate trees and woodland. (Their omission from BS5837 is probably more one of practicality - the impossibility of listing/assessing every baby tree individually - but their presence generally as habitat/future stock is important.)

**Change suggested by respondent:**

Suggest penultimate sentence amended to:

"A "valued" tree should include those determined using the criteria contained in British Standard 5837. Trees under 75mm in stem diameter and under 1.5m above ground level may be valued trees where they provide opportunities for succession planning for existing trees and/or for naturally regenerating woodland."

N.B. based on original wording which might mistakenly use "and" - the 75mm stem diameter measurement might be AT 1.5m above ground level.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Background, 4.42

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

Additional Background paragraph needed to require a Trees and Woodland Strategy to be prepared, subjected to public consultation, and adopted as a Supplementary Planning Document that will make it a material planning consideration, so as to enable delivery of the net gain in tree cover aspect of Strategic Objective 2 and ensure that the spatial distribution of that net gain reflects the aspirations of the Plan as a whole.

**Full text:**

Legally compliant/duty to co-operate - don't know.

Sound: Strategic Objective 2 (following para. 2.51) includes to achieve net gains in tree cover, which we have supported in this Submission Draft. This cannot be achieved without an understanding of existing tree cover and how that differs across the Local Plan area (both in different rural landscapes and different urban communities - typically higher tree cover is found in more affluent/expensive areas and lower tree cover correlates to higher deprivation and, in our experience of Chichester City parish area, less protection/tree planting). The aspiration for greater tree cover is not mentioned in either Background paragraphs 4.41 or 4.42 or Policy NE8, where it needs to be (nor I think in other policies where there are references to trees, hedgerows and woodland).

Natural England's National Framework of Green Infrastructure Standards (launched January 2023, referenced in one line at para. 6.81 of this Plan) includes an Urban Tree Canopy Cover (UTCC) Standard intended to increase UTCC "by an agreed percentage based on a local defined baseline and considering local needs, opportunities and constraints" (page 17,

[https://designatedsites.naturalengland.org.uk/GreenInfrastructure/downloads/Design Guide - Green Infrastructure Framework.pdf](https://designatedsites.naturalengland.org.uk/GreenInfrastructure/downloads/Design%20Guide%20-%20Green%20Infrastructure%20Framework.pdf) ). A Trees and Woodland Strategy Toolkit ( <https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/#1669729165445-ac6bc64e-229e> ) was published in December 2022 by DEFRA with the Forestry Commission and the Tree Council (the charity that runs the national volunteer Tree Warden scheme of which Chichester Tree Wardens are part) pursuant to the England Trees Action Plan published in May 2021.

West Sussex County Council has a West Sussex Tree Plan, published December 2020, which focusses on WSCC-owned trees but "also seeks to influence how the wider tree resource within the County is managed and improved" (para. 1.3).

In the absence of CDC resources having already been invested in a Tree and Woodland Strategy (TaWS) for the Plan Area to achieve the tree cover aspirations of Strategic Objective 2, the Plan needs to make provision for a TaWS to be prepared, subjected to public consultation, and adopted as a Supplementary Planning Document that will make it a material planning consideration. The TaWS should ensure that the spatial distribution of net gain in tree cover reflects the aspirations of the Plan as a whole. (The amenity value/ecosystem services of trees, including woodlands and hedgerows, vary according to where they are growing - rural trees are no substitute for trees in urban areas where they improve the lives of many people on a daily basis.)

**Change suggested by respondent:**

Additional Background paragraph needed to require a Trees and Woodland Strategy to be prepared by CDC, subjected to public consultation, and adopted as a Supplementary Planning Document that will make it a material planning consideration, so as to enable delivery of the net gain in tree cover aspect of Strategic Objective 2 and ensure that the spatial distribution of that net gain reflects the aspirations of the Plan as a whole.

I do not know how best to word/include this.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach.

**Full text:**

WGPC supports this approach.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]

**Summary:**

Portsmouth Water support this policy.

**Full text:**

Portsmouth Water support this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands  
**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]  
**Summary:**  
 ■ SWT supports the inclusion of this policy to recognise the value of these habitats.  
**Full text:**  
 ■ See attached representation.  
**Change suggested by respondent:**  
 ■ -  
**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands  
**Respondent:** The Goodwood Estates Company Limited [7922]  
**Agent:** HMPC Ltd (Mr Haydn Morris) [112]  
**Summary:**  
 ■ The Goodwood Estate relies heavily upon its managed woodland for its business enterprises and for renewable energy. The Estate is progressing a strategy of new woodland planting and a move from 'cash-crop' to native woodland, for amenity and environmental benefits. Woodland management is a balance of business and environmental objectives which the Estate has successfully maintained for many years. This regime follows the broad principles set out in this policy, but must be modified to ensure the balanced objectives across the Estate of economic sustainability and environmental enhancement can be evolving in coming years.  
**Full text:**  
 ■ The Goodwood Estate relies heavily upon its managed woodland for its business enterprises and for renewable energy. The Estate is progressing a strategy of new woodland planting and a move from 'cash-crop' to native woodland, for amenity and environmental benefits. Woodland management is a balance of business and environmental objectives which the Estate has successfully maintained for many years. This regime follows the broad principles set out in this policy, but must be modified to ensure the balanced objectives across the Estate of economic sustainability and environmental enhancement can be evolving in coming years. The Estate has a number of areas designated as "ancient woodland" although these were felled and or replanted during the last war. Development decisions affecting such locations should be considered on the basis of on the ground assessment rather than a reliance on out-dated map designations. The plan should recognise changing woodland practices.  
**Change suggested by respondent:**  
 ■ -  
**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** Support Letter 10 1 23 - <https://chichester.oc2.uk/a/sq4>

## Support

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands  
**Respondent:** John Newman [8169]  
**Summary:**  
 ■ I agree with Policies NE2, NE3, NE4, NE5, NE6, NE7, NE8, and NE10.  
**Full text:**  
 ■ See attachment.  
**Change suggested by respondent:**  
 ■ -  
**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sj>

## Support

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands  
**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]  
**Summary:**  
 .  
**Full text:**  
 .  
**Change suggested by respondent:**  
 -  
**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands  
**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]  
**Summary:**  
 We propose that in order to make the policy sound and effective, it should be more specific on referencing that impacts to ancient woodland and veteran trees can be both direct and indirect, as per Paragraph: 033 Reference ID: 8-03320190721 of Planning Policy Guidance.  
**Full text:**  
 See attached representation.  
**Change suggested by respondent:**  
 This could be addressed by the following amendment to the policy bullet point 2:  
 2. Development resulting in the direct or indirect loss or deterioration of.....  
**Legally compliant:** Not specified  
**Sound:** No  
**Comply with duty:** Not specified  
**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands  
**Respondent:** Mayday! Action Group (John Garrett) [7163]  
**Summary:**  
 Once again how can compensation mitigate against the loss of irreplaceable habitats (2). How will the district council ensure hedgerows are not destroyed ahead of development commencing – Scant Road Cala Development (7). Why is the maintenance period only 5 years – trees can live for 100+ years (9)? Accountability needs to be clear and measurable. It is not acceptable to remove established trees that are net reducers of CO2 and replace them with housing, hard landscaping and trees that will take decades to become established.  
**Full text:**  
 Executive Summary  
 The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails “To meet the needs of the present without compromising the ability of future generations to meet their own needs” (NPPF).  
 The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenities and Safety of the built environment, throughout our district.  
 In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –  
 1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of “cart before the horse” thinking.  
 2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District’s population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.  
 3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council’s record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.  
 4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to ‘Hold the Line’ vs. ‘Managed Retreat’ in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.



5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.
14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

The RSPB supports the range of criteria set out for development proposals within Policy NE8.

**Full text:**

The RSPB supports the range of criteria set out for development proposals within Policy NE8. In particular, the RSPB is pleased to see protection of ancient woodland and other irreplaceable woodland habitats alongside maximising opportunities for planting of new trees, woodlands, and hedgerows. Bullet point 10 (p. 63) also includes the need for preference of native species within planting plans, which will provide not only the stated 'long-term resilience to pests, diseases and climate change', but in addition the provision of native trees able to host a wider range of species and greater biodiversity; increasing the availability of native species and the important habitats these native species provide is critical to tackling the climate and ecological emergency in unison.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** RSPB-Response-to-Chichester-Local-Plan-Regs-19-17-03-23 - <https://chichester.oc2.uk/a/trq>

## Support

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

The Woodland Trust supports this policy.

We welcome the requirement to plant 2 trees for each 1 lost (point 4) and the preference for native species (point 10). In addition, we encourage support for UK & Ireland sourced & grown tree stock.

**Full text:**

The Woodland Trust supports this policy.

We welcome the requirement in point 4 to plant two trees for each one lost through development, as an effective mechanism to deliver Biodiversity Net Gain and to secure multiple benefits for climate resilience, human well-being and visual amenity.

We note the requirement in point 5 for a minimum buffer zone of 15 metres for ancient woodland. We suggest amending this wording to better deliver the protection for this vital irreplaceable habitat required in the NPPF.

5. Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area). For larger developments, a precautionary buffer of up to 50m may be required, unless the applicant can demonstrate that a smaller buffer would be sufficient.

We strongly support the policy in point 10 to encourage planting of a diverse range and variety of native tree species, as this is the best option for biodiversity and resilience. In addition, we recommend a policy preference for UK & Ireland sourced and grown (UKISG) tree stock to support tree health and biosecurity.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** planners-manual-for-ancient-woodland.pdf - <https://chichester.oc2.uk/a/s55>

## Object

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

We note the requirement in point 5 for a minimum buffer zone of 15 metres for ancient woodland. We suggest amending this wording to better deliver the protection for this vital irreplaceable habitat required in the NPPF.

We strongly support the policy in point 10 to encourage planting of a diverse range and variety of native tree species, as this is the best option for biodiversity and resilience. In addition, we recommend a policy preference for UK & Ireland sourced and grown (UKISG) tree stock to support tree health and biosecurity.

**Full text:**

The Woodland Trust supports this policy.

We welcome the requirement in point 4 to plant two trees for each one lost through development, as an effective mechanism to deliver Biodiversity Net Gain and to secure multiple benefits for climate resilience, human well-being and visual amenity.

We note the requirement in point 5 for a minimum buffer zone of 15 metres for ancient woodland. We suggest amending this wording to better deliver the protection for this vital irreplaceable habitat required in the NPPF.

5. Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area). For larger developments, a precautionary buffer of up to 50m may be required, unless the applicant can demonstrate that a smaller buffer would be sufficient.

We strongly support the policy in point 10 to encourage planting of a diverse range and variety of native tree species, as this is the best option for biodiversity and resilience. In addition, we recommend a policy preference for UK & Ireland sourced and grown (UKISG) tree stock to support tree health and biosecurity.

**Change suggested by respondent:**

Suggested amendment:

5. Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area). For larger developments, a precautionary buffer of up to 50m may be required, unless the applicant can demonstrate that a smaller buffer would be sufficient

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** planners-manual-for-ancient-woodland.pdf - <https://chichester.oc2.uk/a/s55>

## Object

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

While R-RMC supports the principle of the draft policy, we suggest that there is an opportunity to provide some clarity regarding criterion six: 'all major development proposals will be required to provide street tree planting', as this may not always be appropriate or practical. It is acknowledged that Paragraph 131 of the NPPF encourages local authorities to ensure that new streets are tree-lined. However, this position is supported by footnote 50 which states that street tree planting should be sought 'unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate'.

**Full text:**

Draft Policy NE8 sets out the Local Plan's requirements relating to trees and woodlands. While Rolls-Royce Motor Cars (R-RMC) broadly supports the principle of the draft policy, we suggest that there is an opportunity to provide some clarity regarding criterion six: 'all major development proposals will be required to provide street tree planting'.

While the principle of street tree planting is recognised, this may not always be appropriate or practical. It is acknowledged that Paragraph 131 of the National Planning Policy Framework (NPPF) encourages local authorities to ensure that new streets are tree-lined. However, this position is supported by footnote 50 which provides the caveat that street tree planting should be sought 'unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate'.

R-RMC suggests that the draft policy is updated to reflect national policy to make it effective and sound.

**Change suggested by respondent:**

Clarify criterion six to make clear that tree planting should be sought 'unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate'.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

R-RMC supports the principle of this draft policy, which seeks to protect the district's Strategic Wildlife Corridors. R-RMC recognises the important role these corridors play in facilitating wildlife connectivity and movement.

**Full text:**

Draft Policy NE8 sets out the Local Plan's requirements relating to trees and woodlands. While Rolls-Royce Motor Cars (R-RMC) broadly supports the principle of the draft policy, we suggest that there is an opportunity to provide some clarity regarding criterion six: 'all major development proposals will be required to provide street tree planting'.

While the principle of street tree planting is recognised, this may not always be appropriate or practical. It is acknowledged that Paragraph 131 of the National Planning Policy Framework (NPPF) encourages local authorities to ensure that new streets are tree-lined. However, this position is supported by footnote 50 which provides the caveat that street tree planting should be sought 'unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate'.

R-RMC suggests that the draft policy is updated to reflect national policy to make it effective and sound.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

Legally compliant/duty to co-operate - don't know.

Sound: Chichester Tree Wardens broadly support Policy NE8 Trees, Hedgerows and Woodlands, subject to our comments on Background paragraphs, particularly the need for CDC to prepare a Trees and Woodland Strategy for the Plan Area as a Supplementary Planning Document to plan for the net gain in tree cover that forms part of Strategic Objective 2. Representation lists some specific threats to tree cover (and therefore the delivery of the Plan) which are not addressed.

**Full text:**

Legally compliant/duty to co-operate - don't know.

Sound: Chichester Tree Wardens broadly support Policy NE8 Trees, Hedgerows and Woodlands, subject to our comments on Background paragraphs 4.41 and 4.42, particularly the need for CDC to prepare a Trees and Woodland Strategy for the Plan Area as a Supplementary Planning Document to plan for the net gain in tree cover that forms part of Strategic Objective 2. However, there are some specific threats to tree cover (and therefore the delivery of the Plan) which are not addressed:

- Loss of tree cover due to failure/removal of large trees and constraints in replacement planting (including lack of space for a tree which could grow to a comparable size and the encroachment of utilities into rooting areas);
  - Where large trees are lost, replacement trees do not compensate for loss of tree cover – the 2-for-1 policy in paragraph 4 will not deliver a net gain in tree cover for decades, if at all;
  - Increasing recreational pressure on existing woodland from a growing population and a flight to tree-conditioned shade in hot summers (compaction of forest floors risks premature decline/death of trees);
  - Existing and new trees included in development proposals not being retained in the long term, despite their importance for planning objectives, as a result of the convention of only requiring replacement if a new tree fails within the first 5 years of planting;
  - Biosecurity risks.
- ALSO to avoid widening inequalities of place, all developments should be required to provide street tree planting (off-site, ideally nearby, if no opportunity onsite), not just "major" developments (NE8, para. 6).

**Change suggested by respondent:**

1. New criteria: "Development sites that include existing large tree(s) should demonstrate succession planning for similarly large trees so as to sustain the landscape impact of trees and achieve net gain in on-site tree cover."
2. Edit NE8, para. 4 "proposals will be required to plant two trees for each one lost through development" to "proposals will be required to deliver net gain in tree cover for each tree lost through development 5 years after felling".
3. Add "All major development proposals will be required to provide new woodland areas for public recreational use related to the development."
4. Add to NE8, para 9. "Developments will be expected to retain existing and planted trees for the long term and demonstrate succession planning."
5. Add to NE8, para. 10 "All trees planted on site will be required to demonstrate responsible biosecurity, such as Plant Healthy certification ( <https://planthealthy.org.uk/plant-health-alliance> ) or similar.
6. Delete "major" in NE8, para. 6 and add "(off-site, ideally nearby, if no opportunity onsite)".
7. Add words along the lines of "including the local Trees and Woodland Strategy" to the final policy sentence (our Objection under Background para. 4.42 refers).

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

**Summary:**

Part 2 of Policy NE8 states:

'Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and trees; veteran trees; protected trees, groups of trees and woodland and hedgerows) should be refused unless there are wholly exceptional reasons. . .'

Protected trees, groups of trees and woodland and hedgerows are not irreplaceable habitats – reference to these features should be removed from this sentence

**Full text:**

Please refer to submitted representations document.

**Change suggested by respondent:**

Reference to protected trees, groups of trees and woodland and hedgerows should be removed from this sentence

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/sbb>  
REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/sbc>

## Object

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** Suez (Sita UK) (Emma Smyth, Senior Planning Manager) [11]

**Summary:**

Delete reference to "protected trees, groups of trees and woodland and hedgerows" as this does not accord with NPPF definition of irreplaceable habitats.

**Full text:**

This representation is made by SUEZ Recycling & Recovery Southern Ltd (SUEZ), who along with SUEZ Recycling & Recovery UK Ltd forms part of the SUEZ group of companies within the UK. This representation is made in response to the Chichester Local Plan 2021-2039 Proposed Submission consultation.

SUEZ Recycling & Recovery Southern Ltd are the landowner of part of the land subject to the draft strategic site allocation 'Land East of Chichester' identified in draft Policy A8.

**Change suggested by respondent:**

Delete reference to "protected trees, groups of trees and woodland and hedgerows"

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Reg 19 SUEZ Response - 17-03-22.pdf - <https://chichester.oc2.uk/a/sdp>

## Object

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Concerned that absolute nature of first sentence highly likely to result in policy conflicts that will require degree of pragmatism and professional judgement. Whilst explanation in paragraphs 4.41-4.42 of supporting text is welcome, definition of a hedgerow in so far as it applies to criteria 2 of the policy is unclear – different approach to hedgerows as defined under the Hedgerows Regulations for short section in domestic garden is required. Believe that latter would fall to criteria 3, but differentiation not entirely clear. Following minor amendments, contend that draft policy and supporting text has been positively prepared, is fully justified, effective and consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

Recommend amending draft Policy NE8 to reflect NPPF stating, all major development proposals will be required to provide street tree planting, unless, in specific cases there are clear, justifiable and compelling reasons why this would be inappropriate'. Concern expressed in relation to use of word 'maximise' in criteria 4, as taken to extreme, this might only ever support woodlands. Respectfully suggest this be replaced with 'harness'.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Criteria 5 stipulates a minimum 15m buffer to Ancient Woodland and Veteran Trees to protect Root Protection Zones. This is too specific and presumptive. Planning applications for development on sites with existing trees are required to submit a Tree Survey and Arboricultural Impact Assessment (AIA). These documents provide a site-specific analysis of tree constraints, including the identification of root protection zones. As currently drafted, the policy assumes a standard constraint and would unnecessarily limit development.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>  
Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

**Document Element:** Policy NE8 Trees, Hedgerows and Woodlands

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

We support this policy and welcome the inclusion of our previous advice

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy NE9 Canals

**Respondent:** Mrs Clare Gordon-Pullar [7010]

**Summary:**

The policy does not provide enough protection for the canal which would be impacted by the proposed relief road. It is not enough to say that mitigation would be included.

**Full text:**

The policy does not provide enough protection for the canal which would be impacted by the proposed relief road. It is not enough to say that mitigation would be included.

**Change suggested by respondent:**

Chichester canal needs to have more protection so that development proposals can be refused if they are shown to impact on the canal.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Document Element:** Policy NE9 Canals

**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]

**Summary:**

Portsmouth Water support this policy.

**Full text:**

Portsmouth Water support this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE9 Canals

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Policy wording should be amended to ensure the policy is more effective in accordance with paragraph 35(c) of the NPPF.

**Full text:**

Premier is a key stakeholder and user of the Chichester Ship Canal, holding a long leasehold interest from West Sussex District Council for the Canal from Chichester Harbour to the A286.

The Canal was largely abandoned by 1928 having fallen into disuse. Yacht moorings on the Canal along the stretch now adjacent to Chichester Marina were retained and their use as such pre-dates the building of the marina. There are currently 31 houseboats moored along this stretch of Canal. Much of the Canal is heavily silted and the two main road bridges have been replaced by unnavigable culverts preventing navigation of the canal.

It is highly unlikely that the canal can ever become navigable. Doing so would require major infrastructure works, including re-routing of or bridges over the A286 and B2201. The ecological designations affecting the various parts of the Canal (including the SAC, AONB and protected species) will also affect the possibility of such major infrastructure works being undertaken.

Given this, the policy approach should recognise and support the potential of the Canal's historic use for houseboat living rather than holding out for a navigable canal which will almost certainly never be delivered and economic benefits that are not clearly established. Premier supports a policy approach that encourages "increased recreation, leisure pursuits and economic activity" but it believes that policy should explicitly include houseboats. These support the on-going management of the Canal and public access to it, support marine employment (houseboats use the same electrical and marine systems as recreational boats and therefore support marine employment), and add to the mix of site uses positively. As such, the policy wording should be amended as follows to ensure the policy is more effective in accordance with paragraph 35(c) of the NPPF:

"Development proposals that make provision for through navigation or enhancement supports the further use and enhancement of the Chichester Ship Canal and/or the Wey and Arun Canal will be supported where they meet environmental, ecological, historical and transport considerations. This includes improvements to the existing houseboat population and further houseboat development on the canal.

Development proposals will be permitted where they preserve and enhance the remaining line and configuration of the Portsmouth and Arundel Canal and the features within it, with no overall adverse effect. Where no such line and configuration remains, proposals to reinterpret the alignment within new development proposals will be supported where they protect and enhance the culture, history and natural environment and consideration is given to local impacts".

**Change suggested by respondent:**

Policy wording should be amended as follows to ensure the policy is more effective in accordance with paragraph 35(c) of the NPPF:

"Development proposals that make provision for through navigation or enhancement supports the further use and enhancement of the Chichester Ship Canal and/or the Wey and Arun Canal will be supported where they meet environmental, ecological, historical and transport considerations. This includes improvements to the existing houseboat population and further houseboat development on the canal.

Development proposals will be permitted where they preserve and enhance the remaining line and configuration of the Portsmouth and Arundel Canal and the features within it, with no overall adverse effect. Where no such line and configuration remains, proposals to reinterpret the alignment within new development proposals will be supported where they protect and enhance the culture, history and natural environment and consideration is given to local impacts".

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxy>



**Document Element:** Policy NE9 Canals

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle

**Full text:**

Premier is a key stakeholder and user of the Chichester Ship Canal, holding a long leasehold interest from West Sussex District Council for the Canal from Chichester Harbour to the A286.

The Canal was largely abandoned by 1928 having fallen into disuse. Yacht moorings on the Canal along the stretch now adjacent to Chichester Marina were retained and their use as such pre-dates the building of the marina. There are currently 31 houseboats moored along this stretch of Canal. Much of the Canal is heavily silted and the two main road bridges have been replaced by unnavigable culverts preventing navigation of the canal.

It is highly unlikely that the canal can ever become navigable. Doing so would require major infrastructure works, including re-routing of or bridges over the A286 and B2201. The ecological designations affecting the various parts of the Canal (including the SAC, AONB and protected species) will also affect the possibility of such major infrastructure works being undertaken.

Given this, the policy approach should recognise and support the potential of the Canal's historic use for houseboat living rather than holding out for a navigable canal which will almost certainly never be delivered and economic benefits that are not clearly established. Premier supports a policy approach that encourages "increased recreation, leisure pursuits and economic activity" but it believes that policy should explicitly include houseboats. These support the on-going management of the Canal and public access to it, support marine employment (houseboats use the same electrical and marine systems as recreational boats and therefore support marine employment), and add to the mix of site uses positively. As such, the policy wording should be amended as follows to ensure the policy is more effective in accordance with paragraph 35(c) of the NPPF:

"Development proposals that make provision for through navigation or enhancement supports the further use and enhancement of the Chichester Ship Canal and/or the Wey and Arun Canal will be supported where they meet environmental, ecological, historical and transport considerations. This includes improvements to the existing houseboat population and further houseboat development on the canal.

Development proposals will be permitted where they preserve and enhance the remaining line and configuration of the Portsmouth and Arundel Canal and the features within it, with no overall adverse effect. Where no such line and configuration remains, proposals to reinterpret the alignment within new development proposals will be supported where they protect and enhance the culture, history and natural environment and consideration is given to local impacts".

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxy>

**Document Element:** Policy NE9 Canals

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England welcomes the council's confirmation in paragraph 4.47 of the supporting text that this plan is not introducing any proposals to re-interpret or re-align the canals. Since through navigation ceased to be possible through this network of rivers and canals the surrounding landscape has changed, protected sites have been designated and reconnection could now lead to a number of significant issues for nature recovery, including, but not limited to:

- The spread of invasive, non-native species between river basin districts;
- Risk of exacerbating the water resources issues in Sussex North through the need for water supply to the canals in summer;
- Loss or damage to designated nature conservation sites should particular sections of the route be re-opened or re-aligned;
- Disturbance of wildlife through increased boat traffic.

**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

We would suggest that the final sentence in the supporting text which refers to the potential need for development to undergo Appropriate Assessment be removed. It is currently incorrect as it implies it is impacts on the canals themselves which would require assessment – certainly within the plan area the canals are not subject to any statutory nature conservation designation. Rather it is the case that development proposals which aim to re-instate lengths of the canal and/or associated features could have impacts on other designated nature conservation sites. We consider the policy wording itself along with other key policies such as NE5 sufficient to address this issue.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Document Element:** Policy NE9 Canals

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

The final sentence in the supporting text which refers to the potential need for development to undergo Appropriate Assessment is currently incorrect as it implies it impacts on the canals themselves which would require assessment – certainly within the plan area the canals are not subject to any statutory nature conservation designation. Rather it is the case that development proposals which aim to re-instate lengths of the canal and/or associated features could have impacts on other designated nature conservation sites. We consider the policy wording itself along with other key policies such as NE5 sufficient to address this issue.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

Suggest removal of the final sentence of supporting text which refers to potential development undergoing Appropriate Assessment.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Document Element:** Background, 4.48

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach. The WG Settlement Boundary will be defined through the NP review process.

**Full text:**

WGPC supports this approach. The WG Settlement Boundary will be defined through the NP review process.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object**

**Document Element:** Background, 4.48

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The definition of land as Countryside or land located beyond the settlement edge or boundary, while offering a level of protection, is an insufficient policy constraint to speculative housing driven justified by local housing demand.

**Full text:**

The definition of land as Countryside or land located beyond the settlement edge or boundary, while offering a level of protection, is an insufficient policy constraint to speculative housing justified only by local housing demand. The plan must include policies that add an additional layer of protection to important areas, confirming that open countryside and land outside settlement boundaries (particularly that identified as playing an additional function such as gap or coalescence avoidance) does not carry with it a presumption in favour of any development; the new local plan being applied as a whole.

The fact settlement boundaries have been reviewed through this local plan and further encouraged through the Site Allocation DPD and Neighbourhood Plans is supported.

**Change suggested by respondent:**

The plan must include policies that add an additional layer of protection to important areas, confirming that open countryside and land outside settlement boundaries (particularly that identified as playing an additional function) does not carry with it a presumption in favour of any development; the new local plan being applied as a whole.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Background, 4.49

**Respondent:** CEG and the Landowners (D C Heaver and Eurequity IC Limited) [7854]

**Agent:** CEG and the Landowners (D C Heaver and Eurequity IC Limited) (Hywel James, Associate Director) [7398]

**Summary:**

The Chichester city settlement boundary as proposed is not justified, having regard to the Council's own evidence base, excluding the approved playing pitches associated with the approved residential developments of Land south of Madgwick Lane and Land north of Graylingwell Park, and the approved residential development of Land north of Madgwick Lane (all within the Westhampnett / North East Chichester SDL).

Therefore, the approach taken by the Plan towards defining Chichester's settlement boundary is not justified and is, therefore, inconsistent with paragraph 35b of the Framework.

**Full text:**

Please see attached representations.

**Change suggested by respondent:**

To rectify this soundness issue and ensure that the methodology in the Council's Background Paper is applied properly, logically and consistently, the approved playing pitches and the approved residential development at Land north of Madgwick Lane should be included within Chichester city's settlement boundary through a Main Modification to the Plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Paragraph 4.49 Representations.pdf - <https://chichester.oc2.uk/a/s7k>

**Support**

**Document Element:** Background, 4.50

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement.

**Full text:**

WGPC supports this statement.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 4.50

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

"In order to protect the landscape, character, quality and tranquillity of the countryside it is essential to prevent inappropriate development." A Planning Barrister once told me that "inappropriate development" doesn't mean anything. I would recommend the term of replaced with something that has some sort of legal and/or recognised status.

**Full text:**

"In order to protect the landscape, character, quality and tranquillity of the countryside it is essential to prevent inappropriate development." A Planning Barrister once told me that "inappropriate development" doesn't mean anything. I would recommend the term of replaced with something that has some sort of legal and/or recognised status.

**Change suggested by respondent:**

Reword "inappropriate development."

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Background, 4.51

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement.

**Full text:**

WGPC supports this statement.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 4.51

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

I think 4.51 is technically incorrect. Chichester Harbour AONB has a list of special 'qualities' (as all AONBs and National Parks do), not 'characteristics'. Furthermore, I am not sure Pagham Harbour has the equivalent list at all.

**Full text:**

I think 4.51 is technically incorrect. Chichester Harbour AONB has a list of special 'qualities' (as all AONBs and National Parks do), not 'characteristics'. Furthermore, I am not sure Pagham Harbour has the equivalent list at all.

**Change suggested by respondent:**

Revise the wording to ensure its accuracy, and try to avoid bundling Chichester Harbour and Pagham Harbour together - they are separate entities.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 4.52

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

The site at Policy A11 does nothing to support the rural economy or allow the local community to thrive. There is a proposed 3rd village hall as part of the development which is neither wanted or needed and allotments which were specifically argued against at the planning consultation stage. The development in the plan proposed for the A259 corridor will exacerbate local traffic congestion and put a strain on the already overwhelmed sewerage system, strategic road network and resources such as the village shop and oversubscribed Dr surgery.

**Full text:**

The site at Policy A11 does nothing to support the rural economy or allow the local community to thrive. There is a proposed 3rd village hall as part of the development which is neither wanted or needed and allotments which were specifically argued against at the planning consultation stage. The development in the plan proposed for the A259 corridor will exacerbate local traffic congestion and put a strain on the already overwhelmed sewerage system, strategic road network and resources such as the village shop and oversubscribed Dr surgery.

**Change suggested by respondent:**

Policy A11 needs to be removed from the plan.

Policy A12 should be removed from the plan for the same reasons.

An assessment on the impact of traffic along the stretch of the A259 between Fishbourne and Southbourne should be carried out.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Background, 4.52

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement.

**Full text:**

WGPC supports this statement.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 4.52

**Respondent:** Mrs Victoria Douglas [7725]

**Summary:**

Not consistent with NPPF paragraph 85. NPPF requires that in the circumstances described (i.e. development meeting business/community needs beyond existing settlements) it is IMPORTANT to ensure sensitivity to surroundings, does not have an unacceptable impact on roads etc. The Local Plan modifies this requirement in its use of the word ESSENTIAL rather than important.

**Full text:**

Not consistent with NPPF paragraph 85. NPPF requires that in the circumstances described (i.e. development meeting business/community needs beyond existing settlements) it is IMPORTANT to ensure sensitivity to surroundings, does not have an unacceptable impact on roads etc. The Local Plan modifies this requirement in its use of the word ESSENTIAL rather than important.

**Change suggested by respondent:**

Revise use of word 'essential' in this paragraph to 'important' in alignment with the NPPF para 85

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Background, 4.52

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The special characteristics and role which the Goodwood Estate exhibits should be reflected in the local plan. While policies are introduced to assist the Estate (policies A16 and A17) there is a risk those policy areas will be viewed in isolation from the rest of the Estate with which it should be integrated if the plan is to truly assist and protect the Estate and its economic value to the District (and beyond).

**Full text:**

The Goodwood Estate lies beyond any settlement boundary although it is close to the settlement of Westhampnett and the northern edge of Chichester. It is a major economic driver in the district as well as being a large, rural business. The special characteristics and role which the Goodwood Estate exhibits should be reflected in the local plan.

Much of the Estate lies within the National Park, but that part remaining in Chichester District has the greatest potential for economic growth as well as decline through ill-placed adjoining development (see Policy A9 and Map 9a).

There is often misplaced conflict between development proposals and other policies of the local plan which seek to protect the environment. We acknowledge and welcome the policies introduced to assist the Estate (policies A16 and A17) but there is a risk those policy areas will be viewed in isolation from the rest of the Estate with which it should be integrated if the plan is to truly assist and protect the Estate and its economic value to the District (and beyond).

**Change suggested by respondent:**

As set out in the accompanying letter, we ask that the particular needs and character of the Goodwood Estate, particularly the husbandry over centuries which has created the landscape which the plan seeks to protect, are recognised, ideally as a specific policy, through the local plan and its need to evolve for the wider public good of economic growth and environmental protection, is maintained and enhanced. Areas subject to policies A16 and A17 should not be viewed in isolation from other parts of the Estate

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Supporting Document - <https://chichester.oc2.uk/a/t6k>

**Support**

**Document Element:** Background, 4.53

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement.

**Full text:**

WGPC supports this statement.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Support**

**Document Element:** Background, 4.53

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPS supports this statement. WG's NP process has identified sites that include brownfield/previously developed land.

**Full text:**

WGPS supports this statement. WG's NP process has identified sites that include brownfield/previously developed land.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 4.55

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

The SDNPA have raised concerns about the connectivity between the SDNP and Chichester Harbour AONB being lost through the development proposed at Policy A11. It seems that the duty to consult and the duty to cooperate have been confused during this process as the SDNPA are not in favour of policy A11 but their concerns appear not to have been considered.

**Full text:**

The SDNPA have raised concerns about the connectivity between the SDNP and Chichester Harbour AONB being lost through the development proposed at Policy A11. It seems that the duty to consult and the duty to cooperate have been confused during this process as the SDNPA are not in favour of policy A11 but their concerns appear not to have been considered.

**Change suggested by respondent:**

Policy A11 should be removed from the local plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** SDNPA Letter Relating to Policy A11.pdf - <https://chichester.oc2.uk/a/srs>

## Object

**Document Element:** Background, 4.56

**Respondent:** Mrs Victoria Douglas [7725]

**Summary:**

NPPF paragraph 85 supports developments outside of settlement boundaries which "meet local business and community needs in rural areas". The Local Plan is inconsistent with this in that it restricts support to 'essential' development, which is more onerous than required by the NPPF.

**Full text:**

NPPF paragraph 85 supports developments outside of settlement boundaries which "meet local business and community needs in rural areas". The Local Plan is inconsistent with this in that it restricts support to 'essential' development, which is more onerous than required by the NPPF.

**Change suggested by respondent:**

Remove word 'essential' in this paragraph, i.e. "where development in the countryside is proposed to meet a demonstrable need..."

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Mrs Victoria Douglas [7725]

**Summary:**

The following requirement is not sound. "The sustainability of the site is enhanced by improving or creating opportunities to access the site by walking, cycling and public transport". This requirement will not be appropriate in all cases, for example, this should not be a requirement for sites outside the settlement boundary which are already well connected by walking, cycling and public transport options.

**Full text:**

The following requirement is not sound. "The sustainability of the site is enhanced by improving or creating opportunities to access the site by walking, cycling and public transport". This requirement will not be appropriate in all cases, for example, this should not be a requirement for sites outside the settlement boundary which are already well connected by walking, cycling and public transport options.

**Change suggested by respondent:**

If the proposed site is in a location which is outside of the settlement boundary but is already well connected to local amenities (by walking, cycling or public transport) there should be no requirement for improving or creating opportunities to access the site via these means.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

Allocations in the East/West corridor are outside the existing settlement boundary and in the countryside contrary to this policy.

**Full text:**

Allocations in the East/West corridor are outside the existing settlement boundary and in the countryside contrary to this policy.

**Change suggested by respondent:**

Remove these proposed allocations and identify more suitable locations.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None



**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Drayton Investments Limited [8111]

**Agent:** Drayton Investments Limited (Mr Ben Christian, Associate Town Planner) [8113]

#### Summary:

Representations do not directly object to policy (NE10) or its wording but some text is included in attachment to comment on how Drayton Waterside site (22/02202/FUL) is better aligned with countryside policy than proposed land south of Bognor Road allocation (Policy A20).

#### Full text:

These representations are specifically centred around Chapter 7: Employment and Economy – ‘Meeting Business and Employment Needs’ with particular focus on Policy E1, Map 10.10 and reliance on Chapter 10 Policy A20 (Land to the South of Bognor Road).

These representations are made in the light of a live planning application (22/02202/FUL) for Land North Of Drayton Waterside. The proposed development consists of the erection of employment space [flexible Class B2 (general industry), B8 (storage / distribution), Trade Counter, E(d) (indoor sport / recreation) and Class E(g) (office, research and development, light industry) uses], with associated parking and landscaping. The employment space is provided over 33 units totalling 5,706 sq. m.

These representations will also look in detail at the Countryside policy and compare the proposed single new site (Land to the South of Bognor Road) with a site which is currently subject to a pending planning application (22/02202/FUL) for land which is geographically comparable with the proposed single site only without the implementation issues listed in the proposed Local Plan, as well as being deliverable, achievable and focused on the market requirements for smaller units.

These representations bring into question the ‘tests of soundness’. In particular, the question as to whether it is ‘sound’ on the basis of being ‘positively prepared’, ‘justified’ and ‘effective’ in respect to employment land provision.

These representations seek to highlight that Chapter 7 has not been positively prepared, in so far as it does not provide [1.] “a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs” see the details set out in the accompanying Flude Property Consultants Report together with the details set out below.

It is also considered that Chapter 7 is not justified as the employment strategy is [2.] is inappropriate as it relies on a single new site, with multiple issues some of which are in conflict with other parts of the local plan, plus the site does not appear to have been included in the previous Local Plan consultations.

Chapter 7 is also not justified with respect to its provisions do not [3.] take into account reasonable alternatives. And that the provision for a single site not previously seen in any Regulation 18 consultation, is not [4.] based on proportionate evidence.

With respect to whether Chapter 7 is effective is questionable in terms of soundness given that the proposed allocation highlights a number of issues with the site set out in more detail below.

It is considered on the basis of the other factors highlighted in these representations and the accompanying Flude Report that the proposed employment land provision is not ‘Consistent with national policy’ as the proposed provision does not enable the delivery of sustainable development. It is considered that the proposed plans are contrary to the NPPF paragraph 16a, 16b, 16c, 16d and paragraph 20a.

With respect of general employment allocations and provisions in Chichester there are a number of areas of concern raised below and in the accompanying Flude Property Consultants Report which looks in detail at the Chichester property market.

It is also relevant to note that the Flude Report (dated July 2022) not only assesses the supply and demand in the local market for employment land, it objectively assesses the most recent evidence set out by the Local Planning Authority within the April 2022 Chichester Housing and Economic Development Needs Assessment (HEDNA).

Both the HEDNA and Flude Report independently advise that there is a lack of suitable employment space supply in Chichester, particularly for starter units between 750 and 2000 sq. ft.

The Policy E1 table sets out a number of floorspace calculations. None of which are identified by their Use Class.

#### Land West of Chichester

This site is a reallocation of the current Local Plan Policy 15. The new policy is Policy A6. The original allocation was adopted in 2015 and this therefore raises concerns in respect of deliverability of the proposed employment floorspace.

Notwithstanding the concerns around deliverability, the uses identified in the ‘submission local plan’ Policy A6 states: “6 hectares of employment land (suitable for E(g)(i)/(ii) Business uses)” and therefore none of the suggested 22,000m2 allocation equates to light industrial, general industrial or storage and distribution (i.e. it does not include E(g)(iii), B2 or B8) and therefore does not meet any need for industrial or storage and distribution.

#### Kingsham Road - DPD Allocation

This site the current DPD allocation (Policy CC5). The allocation was adopted in 2019 and this therefore raises concerns in respect of deliverability of the proposed employment floorspace.

Kingsham Road is a DPD allocation for 7,200m2 is for office use, and therefore does not meet any need for industrial or storage and distribution.

#### Land South of Bognor Road

The Land South of Bognor Road, the single proposed new allocation, not previously set out in the previous Local Plan consultations is looked at in greater detail in the following section of these representations.

#### Planning Permissions to Date

Chichester Council Planning Policy team have kindly provided a copy of the employment planning permissions to date which make up the 53,655 figure within the employment floorspace Policy E1. From a review of these sites it is apparent that a large number are for specific end users (e.g. Rolls Royce) or for change of use and not for the open market which will not meet the employment floorspace demand locally, particularly for starter units for SME’s.

#### Summary

In summary, Policy E1 is heavily reliant on adding up floor spaces which either may not occur or are not for an employment use which meets the needs for industrial use or storage and distribution use needs.

There are several fundamental issues with the proposed site allocation known as Land to South of Bognor Road (Policy A20), these include:

- The site is new to the Local Plan production process in respect of entering in at Regulation 19 and has therefore not been through any of the previous rounds of consultation.
- The he land is Grade 1 agricultural land which is (a) in active use, (b) forms part of wider farmland which is proposed to be separated from the farm

buildings therefore potentially limiting the effectiveness of the remainder of the farmland, (c) it conflicts with other parts of the local plan which promote protection of the best agricultural land and food production. (details below)

- There are several site constraints to delivery to the allocation (details below).
- The Policy also seeks to provide plots for Gypsy and Travelling Showpeople the allocations do not require to be part of the same site however they have been placed under the same site policy which implies that the provision for both types of use are in short supply and that the way in which the Local Plan has been produced seeks to address the Gypsy and Traveller sites shortfall on the same allocation as part of the solitary site for employment.
- The size of the site in terms with respect to Natural England's Guide to assessing development proposals on agricultural land (2021).

The Land South of Bognor Road site is both grade 1 agricultural land (the best value) and in active food production. Development on this site would raise conflict with other Local Plan approaches and policies as follows.

The proposed Local Plan at Paragraph 4.8 states that: The council will seek to protect the best and most versatile agricultural land from large scale, inappropriate or unsustainable non-agricultural development proposals that are not in accordance with the Development Plan. For proposals not in accordance with the Development Plan, that will result in the loss or likely cumulative loss of 20 hectares or more of best and most versatile agricultural land, the council will consult with Natural England and have regard to "Natural England's Guide to assessing development proposals on agricultural land (2021)" and any subsequent guidance.

It is noteworthy to mention that the site is 19.5ha and, as with neighbouring land, is owned by West Sussex County Council (WSCC). The outline of the site allocation is odd and appears to sever the remainder of the WSCC land to the south from the WSCC owned land. This both impacts the opportunity to farm the remaining land and raises the question of whether there is an approach to avoid Natural England's 20ha threshold and therefore is the current site area a salami slice of an extended future land promotion.

#### Land south of Bognor Road - Policy A20 – Site Constraints impacting Delivery

##### Flood Risk

Policy A20 supporting text paragraph 10.87 outlines that parts of the site are at risk of surface and ground water flooding which would need careful management.

##### Landscape Impact

The large scale of the site will create a landscape impact that could be considered harmful to the current landscape character and separation between the main conurbation of Chichester and the built form around the Bognor Road/Drayton Lane roundabout. This is further discussed in the Countryside policy assessment below.

##### Highways

To facilitate development of Policy A20 the supporting text paragraph 10.87 identifies the need for realignment of Vinnetrov Road and works to the Bognor Road roundabout as part of a package of A27 improvements. It is understood that Highways England have pulled funding for these improvements and that they are to be delivered through a tariff on strategic sites. Therefore, the delivery of this site is reliant on the delivery of other strategic sites and raises concerns around timescales and deliverability.

A planning application (22/02202/FUL) for the construction of business park with associated parking and landscaping is currently pending determination for land north of Drayton Waterside A259 Eastbound Merston Oving. The application is pending further highway research but is supported by no objections from all other consultees including support from the economic development officer and the Oving Parish Council.

The Economic Development Officer comment on the Planning Application is as follows:

'The application site sits directly adjacent to a current business site and will provide units of the size and use class type that are highly sought after in the district. B2 and B8 uses are especially sought after and the amount of available space in this area has dropped from 316,000 sqft in 2017 to 97,500 sqft in 2022 (Source: SHW Industrial Focus 2022) which is a drop of almost 70% in five years.'

Both the HEDNA (April 2022) and Flude Report (July 2022) independently advise that there is a lack of suitable employment space supply in Chichester, particularly for starter units between 750 and 2000 sqft. The proposed development at Drayton Waterside provides this type of employment space and given the current planning application status could provide this floorspace immediately.

In the Housing and Employment Land Availability Assessment (HELAA) 2021, Drayton Waterside and the proposed allocation, Land to the South of Bognor Road, are both considered 'developable' but it is noteworthy to mention that Drayton Waterside (HELAA ID HOV00011) is considered to be able to come forward sooner than the land South of Bognor Road (HELAA ID HNM0017a).

#### Development in the Countryside Policy (Policy NE10)

Following review of the Drayton Waterside site above a key consideration is its location within the countryside – draft Local Plan Policy NE10. These representations do not directly object to this policy or its wording but some text is included to comment on how the Drayton Waterside site is better aligned with the countryside policy than the proposed land south of Bognor Road allocation (Policy A20).

The first consideration is paragraph 4.51 within the supporting text to Policy NE10 which outlines the role and value of the countryside and why it should be considered for protection subject to a planning balance. These points of consideration are as follows:

1. The countryside is important for food production.
  - The land south of Bognor Road is currently farmed and is large enough to support food production. The land south of Bognor Road is also Grade 1 agricultural land.
  - The Drayton Waterside site however is too small to support viable food production and is enclosed by uses which are not within agricultural use and as such could not form part of an adjacent agricultural use unlike the Policy A20 site.
2. Countryside is important for landscape character.
  - Both sites are not located in either the South Downs National Park or Areas of Outstanding Natural Beauty which cover a large part of the Chichester district.
  - The Drayton Waterside site sits adjacent to existing built form currently used for employment use and is partly a brownfield site. The site is also smaller than the Bognor Road South and whilst providing 5,706 sq m compared to the 28,000 sq m provided by the land south of Bognor Road, it should be the Council's priority to look for delivering employment on multiple smaller sites which combined have a lesser landscape impact than that of a single large site.
3. Countryside is important for recreation:
  - This role for countryside in respect of both sites is not necessarily relevant but it is noteworthy to mention that the Drayton Waterside site is private land and therefore not open to the public.
4. Countryside is important for biodiversity.
  - Whilst the policy requirement for the delivery of the land south of Bognor Road would include a biodiversity enhancement this is yet to be evidenced as no application has been submitted for this site.
  - The Drayton Waterside site, by contrast, has a live planning application and a Biodiversity Net Gains Assessment has been undertaken, and demonstrates that proposed development would result in calculated net gain of +12.73% Habitat Units and net gain of +13.45% Hedgerow Units. The Drayton Waterside site therefore demonstrates a substantial increase in biodiversity.
5. Countryside is important for stopping an urbanizing impact.

- The large scale of the land south of Bognor Road would create a noticeable urbanizing impact and whilst it is closer to the main conurbation of Chichester it would remove the separation between the current built form around the roundabout with Drayton Lane and Bognor Road whereas the Drayton Waterside site would neatly fit in within that existing built form and not diminish the gap between Chichester and this existing built form.

The wording of Policy NE10 outlines that sustainable development in the countryside would be permitted if the following considerations were achieved:

- There are sustainable transport links.
- The scale and design is appropriate to the location and not harmful to the rural setting.
- The proposed development preserves and enhances key countryside landscape features and does not impact any designations (Areas of Outstanding Natural Beauty or the South Downs National Park).
- The proposed development relates to an existing group of buildings.
- The proposed development does not prejudice countryside operations e.g., farming.

The Drayton Waterside site is considered to align with the requirements in this policy by:

- having strong sustainable transport links along the Bognor Road, to Chichester, including cycle routes and bus stops.
- The proposed development is of a scale where it would not harm the rural setting due to its relationship with an existing building group and being a relatively small site particularly when compared to the land south of Bognor Road.
- The proposed development is not considered to impact any designations or key features within the current countryside make up in this location and would not impact the current farming operations in the locality.

#### SUMMARY

The Chichester Draft Local Plan is considered to be unsound in the respect of employment land provision as it is heavily reliant on the sites which have strong valid delivery concerns. This includes:

- Existing permissions that are not likely to be forthcoming.
- Allocations carried over from previous Local Plan documents which have not been delivered since they were allocated in the Development Plan Document Site Allocation in 2019 or worse the previous Local Plan in 2015.
- One new large strategic site allocation (Land South of Bognor Road – Policy A20) that has significant site constraints including works to the A27 where funding has recently been withdrawn by National Highways / Secretary of State for Transport.

Employment land provision should be achieved through the allocation of more, smaller, sites to improve the chances of delivery and to meet market demand which is immediate (as evidenced by the Housing and Economic Development Needs Assessment [April 2022] and the accompanying Flude Market Report [July 2022]).

The market demand set out be the Local Plan evidence base and the Flude Market Report highlights that, whilst there is an employment floorspace need generally, there is a specific need for starter units between 750 and 2000 sqft.

Application reference 22/02202/FUL for the Construction of Business Park with associated parking and landscaping at Land North Of Drayton Waterside A259 Eastbound Merston Oving is considered to be a perfect example of a site that could meet the current market demand for employment floorspace, providing starter units, and not result in a harmful impact to the countryside which Land to the South of Bognor Road (Policy allocation A20) would create due to the scale of the strategic allocation.

Drayton Investments Limited strongly implore Chichester Planning Policy team to reconsidered the proposed Local Plan employment floorspace provision and allocate more, smaller, sites which, such as Land North of Drayton Waterside, can achieve immediate delivery of employment market floorspace demand.

#### Change suggested by respondent:

See accompanying letter/statement by Vail Williams.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/swp>

Support

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** John Newman [8169]

#### Summary:

I agree with Policies NE2, NE3, NE4, NE5, NE6, NE7, NE8, and NE10.

#### Full text:

See attachment.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sj>

## Object

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT suggests that in order for the policy to be found sound it should include a further bullet point to recognise that development in the countryside must avoid impacts to the natural environment in line with policies in the Chichester Local Plan.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Include a further bullet point to recognise that development in the countryside must avoid impacts to the natural environment in line with policies in the Chichester Local Plan.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Locating 300 houses in N & H and 300 in Bosham would be in direct conflict with this policy. Housing of that magnitude would severely impact on landscape, the setting of the AONB, use of agricultural land, use of open land in the countryside, long-distance views, wildlife corridors and rural character.

**Full text:**

Locating 300 houses in N & H and 300 in Bosham would be in direct conflict with this policy. Housing of that magnitude would severely impact on landscape, the setting of the AONB, use of agricultural land, use of open land in the countryside, long-distance views, wildlife corridors and rural character.

**Change suggested by respondent:**

Reduce the allocated housing in both parishes

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

Whilst we welcome this policy for development management, it should be noted that the delivery of the Plan is overly reliant on development in the countryside through the spatial strategy. Of the 3,225 homes proposed between Chichester and Southbourne, overwhelmingly they will be built on greenfield sites. We would hope to see much greater focus on delivery of brownfield sites and urban locations.

**Full text:**

Whilst we welcome this policy for development management, it should be noted that the delivery of the Plan is overly reliant on development in the countryside through the spatial strategy. Of the 3,225 homes proposed between Chichester and Southbourne, overwhelmingly they will be built on greenfield sites. We would hope to see much greater focus on delivery of brownfield sites and urban locations.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/trr>

## Object

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

The test to conserve and enhance is too strict for 'ordinary' countryside

What does 'complimentary to or compatible with' actually mean in planning judgement terms?

Criteria 4 overly restrictive as some appropriate development may come forward where it is not closely related to buildings due to specific site circumstances

**Full text:**

The test to conserve and enhance is too strict for 'ordinary' countryside

What does 'complimentary to or compatible with' actually mean in planning judgement terms?

Criteria 4 overly restrictive as some appropriate development may come forward where it is not closely related to buildings due to specific site circumstances

**Change suggested by respondent:**

Rewrite policy:

Test to conserve and enhance is too strict for 'ordinary' countryside

Clarify what 'complimentary to or compatible with' means

Criteria 4 overly restrictive

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

Chidham and Hambrook given its Service Village status means it is defined by its pre-existing settlement boundaries (1). However, the policy allows for sites adjacent to existing boundaries to be consider part of the boundary (4). We are going to depend upon some officer determining whether a site relates more to the built environment rather than to the surrounding countryside (3). As the Parish does not have a Made Plan our position is weaker in regard to this policy. It is yet again another "Ah but" – the site is outside the settlement boundary but is adjacent to it...

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment

of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

In order to be robust we believe Policy NE10 (Development in the Countryside) should reflect Policy H7. If a site is within the countryside it is often considered rural and therefore Policy NE10 should acknowledge the requirements within Policy H7.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

**Summary:**

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'.

**Full text:**

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester. We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019. As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed. We consider this and other aspects of the emerging Local Plan below.

**Chapter 2: Vision & Strategic Objectives**

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

**Chapter 3: Spatial Strategy and Settlement Hierarchy**

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

**Policy S1 Spatial Development Strategy**

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood. Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

**Policy S2 Settlement Hierarchy**

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have. Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

**Chapter 4: Climate Change and the Natural Environment****Policy NE4 Strategic Wildlife Corridors**

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

#### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

#### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

### Chapter 5: Housing

#### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

#### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

#### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

#### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.



## Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

## Chapter 6: Place-making

### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

## Chapter 7: Employment and Economy

### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period." Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

## Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council's proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE's land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

**Policy A14 Land West of Tangmere**

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

**Additional sites****Hunston**

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

**Land East of Drayton Lane**

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

**Appendix C Additional Guidance**

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

**Conclusion**

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

**Change suggested by respondent:**

Under paragraph NPPF paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
 D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
 East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
 Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
 Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
 Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Object

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

A number of the criteria of policy NE10 are not consistent with policy E4 of the Local Plan.

**Full text:**

The Council's evidence base and Policy E3 acknowledges that substantial land outside of the proposed HDA's will be required to meet the needs of the horticultural industry. This is welcomed.

The Runcton HDA, and surrounding land, is located outside of any settlement boundary area and is therefore defined as countryside by the Local Plan. In such a situation it is acknowledged that Policy NE10 would apply.

A number of the criteria of policy NE10 are not consistent with policy E4 of the Local Plan. It is therefore suggested that the Local Plan states that development associated with horticulture coming forward in the Runcton HDA, or within the setting of the Runcton HDA, should be assessed against the Policy E4 of the Local Plan as opposed to Policy NE10.

**Change suggested by respondent:**

It is therefore suggested that the Local Plan states that development associated with horticulture coming forward in the Runcton HDA, or within the setting of the Runcton HDA, should be assessed against the Policy E4 of the Local Plan as opposed to Policy NE10.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/scz>  
Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/swf>

## Object

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The plan must make appropriate and robust provision for housing need within the material constraints imposed on the District, with those constraints being supported by clear policy. This should include a need to protect areas of important, functional countryside, where there is a risk of coalescence or gradual coalescence over time, or where development would erode the provision of open green or blue space to the detriment of the community.

**Full text:**

The definition of land as Countryside or land located beyond the settlement edge or boundary, while offering a level of protection, is an insufficient policy constraint to speculative housing justified only by local housing demand. The plan must include policies that add an additional layer of protection to important areas, confirming that open countryside and land outside settlement boundaries (particularly that identified as playing an additional function such as gap or coalescence avoidance) does not carry with it a presumption in favour of any development; the new local plan being applied as a whole.

The fact settlement boundaries have been reviewed through this local plan and further encouraged through the Site Allocation DPD and Neighbourhood Plans is supported.

**Change suggested by respondent:**

The plan must make appropriate and robust provision for housing need within the material constraints imposed on the District, with those constraints being supported by clear policy. This should include a need to protect areas of important, functional countryside, where there is a risk of coalescence or gradual coalescence over time, or where development would erode the provision of open green or blue space to the detriment of the community.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

Support in principle

**Full text:**

Plaistow and Ifold Parish Council is supportive of Policy NE10, Development in the Countryside; however, respectfully draws attention to its concern that the Plan does not unambiguously set out, in a strategic policy, that development in the countryside - and especially in the North of the Plan Area - will only be sustainable at the level of development proposed and where development "requires a countryside location".

Policy 45, 'Development in the Countryside' within Chichester's currently adopted Local Plan 2014 – 2029 includes the overarching proviso that development proposed in the countryside "requires a countryside location", before proceeding to recite the other criteria that apply.

Policy NE10 does not include this requirement.

In Policy 45 of the currently adopted Local Plan, development within the countryside would not be considered unless a justification for a countryside location (or this location, which happens to be in the countryside) is made out.

The Council notes that within other policies of the draft Plan e.g., policy E2, 'Employment Development' a requirement for a countryside location is included.

Were it to be included in NE10, it would reinforce the spatial distribution policy for new housing, by providing an additional clear indication that residential development, to 'grow' rural settlements, is unacceptable unless it has unambiguous community support and benefits.

There is supporting text to this effect, but in our view it is not fully reflected in policy wording. In particular, Policy NE10 should make clear that residential development in the countryside is unsustainable and will therefore be resisted except in the very limited circumstances allowed by the Plan and national planning policy.

Plaistow and Ifold Parish Council respectfully suggests that the policy should include the requirement that the development needs a countryside location and meets an essential, small scale, and local need, which cannot be met elsewhere.

The Parish Council suggests that the wording within Policy 45, Development in the Countryside of the current adopted Local Plan 2014-2029 should be inserted into emerging Policy NE10: -

"Within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements."

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

Plaistow and Ifold Parish Council respectfully draws attention to its concern that the Plan does not unambiguously set out, in a strategic policy, that development in the countryside - and especially in the North of the Plan Area - will only be sustainable at the level of development proposed and where development "requires a countryside location".

Plaistow and Ifold Parish Council respectfully suggests that the policy should include the requirement that the development needs a countryside location and meets an essential, small scale, and local need, which cannot be met elsewhere.

**Full text:**

Plaistow and Ifold Parish Council is supportive of Policy NE10, Development in the Countryside; however, respectfully draws attention to its concern that the Plan does not unambiguously set out, in a strategic policy, that development in the countryside - and especially in the North of the Plan Area - will only be sustainable at the level of development proposed and where development "requires a countryside location".

Policy 45, 'Development in the Countryside' within Chichester's currently adopted Local Plan 2014 – 2029 includes the overarching proviso that development proposed in the countryside "requires a countryside location", before proceeding to recite the other criteria that apply.

Policy NE10 does not include this requirement.

In Policy 45 of the currently adopted Local Plan, development within the countryside would not be considered unless a justification for a countryside location (or this location, which happens to be in the countryside) is made out.

The Council notes that within other policies of the draft Plan e.g., policy E2, 'Employment Development' a requirement for a countryside location is included.

Were it to be included in NE10, it would reinforce the spatial distribution policy for new housing, by providing an additional clear indication that residential development, to 'grow' rural settlements, is unacceptable unless it has unambiguous community support and benefits.

There is supporting text to this effect, but in our view it is not fully reflected in policy wording. In particular, Policy NE10 should make clear that residential development in the countryside is unsustainable and will therefore be resisted except in the very limited circumstances allowed by the Plan and national planning policy.

Plaistow and Ifold Parish Council respectfully suggests that the policy should include the requirement that the development needs a countryside location and meets an essential, small scale, and local need, which cannot be met elsewhere.

The Parish Council suggests that the wording within Policy 45, Development in the Countryside of the current adopted Local Plan 2014-2029 should be inserted into emerging Policy NE10: -

"Within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements."

**Change suggested by respondent:**

Plaistow and Ifold Parish Council respectfully suggests that the policy should include the requirement that the development needs a countryside location and meets an essential, small scale, and local need, which cannot be met elsewhere.

Suggested wording (from Policy 45 of adopted Local Plan):

"Within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements."

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support with qualification

A sentence in Policy 45 in the extant Local Plan has been removed. This requirement should be retained in Policy NE10.

"Within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements."

**Full text:**

Support with qualification

A sentence in Policy 45 in the extant Local Plan has been removed. This requirement should be retained in Policy NE10.

"Within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements."

**Change suggested by respondent:**

A sentence in Policy 45 in the extant Local Plan has been removed. This requirement should be retained in Policy NE10.

"Within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements."

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support with qualification

A sentence in Policy 45 in the extant Local Plan has been removed. This requirement should be retained in Policy NE10.

"Within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements."

**Full text:**

Support with qualification

A sentence in Policy 45 in the extant Local Plan has been removed. This requirement should be retained in Policy NE10.

"Within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements."

**Change suggested by respondent:**

A sentence in Policy 45 in the extant Local Plan has been removed. This requirement should be retained in Policy NE10. "Within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements."

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Draft Policy NE10 therefore does not work as 'catch all' policy and therefore additional wording is needed to make specific reference to established employment sites outside the existing settlement, including Chichester Marina. The policy should be amended as follows to ensure the policy is 'positively prepared' and will address the District's employment needs in accordance with paragraph 35(a) of the NPPF.

**Full text:**

The response to this policy is related to the above comments regarding Policy S2, namely, that Chichester Marina should be considered within a settlement boundary and not as 'countryside'. The Site is not open countryside, it has a long established residential and working population, a unique leisure and tourism offer, is host to a range of businesses and one of the UK's most successful yacht clubs.

The Site is developed, with over 5,000 sqm of commercial and leisure floorspace, and 1,100 berths. Therefore, this is not a typical 'rural' countryside setting.

Should Chichester Marina not be incorporated within a settlement, and remain as designated 'countryside', this policy approach would stifle the economic viability and ongoing contribution of the marina.

**Change suggested by respondent:**

Addition of 'or developed site for employment uses within the B Use Class, an existing employment site' to clause 4.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxf>

## Support

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle

**Full text:**

The response to this policy is related to the above comments regarding Policy S2, namely, that Chichester Marina should be considered within a settlement boundary and not as 'countryside'. The Site is not open countryside, it has a long established residential and working population, a unique leisure and tourism offer, is host to a range of businesses and one of the UK's most successful yacht clubs.

The Site is developed, with over 5,000 sqm of commercial and leisure floorspace, and 1,100 berths. Therefore, this is not a typical 'rural' countryside setting.

Should Chichester Marina not be incorporated within a settlement, and remain as designated 'countryside', this policy approach would stifle the economic viability and ongoing contribution of the marina.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxf>

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England support the inclusion of this policy but reiterate our comments from November 2021 in respect of linkages to green infrastructure" (NPPF 2021 para 174), impacts on Nature Recovery Networks (NPPF para 179) and impacts to biodiversity (NPPF paras 174, 179).

**Full text:**

**Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

Criterion 1 - additional of the phrase "and linking to green infrastructure".

Criterion 3 - inclusion of additional requirement that proposals should demonstrate they will not adversely impact Nature Recovery Networks (NPPF para 179)

Inclusion of impacts to biodiversity as a consideration as inappropriate development in the Countryside can have significant impacts (NPPF para 174 and 179)

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Document Element:** Policy NE10 Development in the Countryside

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Support in principle

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Background, 4.63

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

..." who manage Chichester Harbour for nature conservation and landscape." Reword to: "for landscape, the occupation of leisure and recreation, and the conservation of nature." This version is technically correct. Also, you might want to mention Coastal Partners here.

**Full text:**

..." who manage Chichester Harbour for nature conservation and landscape." Reword to: "for landscape, the occupation of leisure and recreation, and the conservation of nature." This version is technically correct. Also, you might want to mention Coastal Partners here.

**Change suggested by respondent:**

..." who manage Chichester Harbour for nature conservation and landscape." Reword to: "for landscape, the occupation of leisure and recreation, and the conservation of nature." This version is technically correct. Also, you might want to mention Coastal Partners here.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Object

**Document Element:** Background, 4.65

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

"...Since 'the' designation of the SSSI in 1970, almost half..."

**Full text:**

"...Since 'the' designation of the SSSI in 1970, almost half..."

**Change suggested by respondent:**

"...Since 'the' designation of the SSSI in 1970, almost half..."

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 4.68

**Respondent:** Mr John Blamire [8073]

**Summary:**

Paragraph 4.68 should outline greater detail on the purpose of the Shoreline Management Plans and their purpose in managing the future of the coastline. It is important to realise that the day to day application of implementing SMP policies and what takes priority is complex. There are often strategic policy conflicts between the policies in the SMP to protect coastal properties/assets and those environmental policies that try to prevent coastal squeeze. Eg: current hold the line policy in some locations affects private landowners around the coastline it requires them to fund and maintain their existing sea defences.

**Full text:**

Paragraph 4.68 should outline greater detail on the purpose of the Shoreline Management Plans and their purpose in managing the future of the coastline. It is important to realise that the day to day application of implementing SMP policies and what takes priority is complex. There are often strategic policy conflicts between the policies in the SMP to protect coastal properties/assets and those environmental policies that try to prevent coastal squeeze. Eg: current hold the line policy in some locations affects private landowners around the coastline it requires them to fund and maintain their existing sea defences.

**Change suggested by respondent:**

The paragraph 4.68 should be reworded as follows:

The South Downs Shoreline Management Plan and the North Solent Shoreline Management Plan identify the most sustainable approach to managing the flood and coastal erosion risks to the coastline in the short-term (0 to 20 years), medium term (20 to 50 years), long term (50 to 100 years). To facilitate the implementation of the SMP strategic policies and projects, the local plan with its coastal partners will provide an SPD on Coastal Change. This SPD will give detailed policies for all stakeholders as to how their property/land can be protected or adapted for climate change in the short, medium or long term. Where hold the line is the only option, (due to site specific issues), the Regional Habitat Compensation programme referenced in 4.69 can provide adequate compensation.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 4.69

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

The paragraph requires a minor amendment to change the wording from 'Regional Habitat Compensatory Programme' to as it is now called the 'Habitat Compensation and Restoration Programme (HCRP)'. This also applies to Policy NE11.

**Full text:**

The paragraph requires a minor amendment to change the wording from 'Regional Habitat Compensatory Programme' to as it is now called the 'Habitat Compensation and Restoration Programme (HCRP)'. This also applies to Policy NE11.

**Change suggested by respondent:**

A minor amendment to change the wording from 'Regional Habitat Compensatory Programme' to as it is now called the 'Habitat Compensation and Restoration Programme (HCRP)'. This also applies to Policy NE11.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Background, 4.70

**Respondent:** Mr John Blamire [8073]

**Summary:**

Habitat restoration and proactive conservation to improve existing habitats are vital in this climate change context. We support the CHAPRON and REACH projects and agree that identifying suitable sites and habitat creation locations/schemes is the best way forward. Identifying specific schemes in the Infrastructure Delivery Plan and Nature Recovery Strategies is a sound approach.

**Full text:**

Habitat restoration and proactive conservation to improve existing habitats are vital in this climate change context. We support the CHAPRON and REACH projects and agree that identifying suitable sites and habitat creation locations/schemes is the best way forward. Identifying specific schemes in the Infrastructure Delivery Plan and Nature Recovery Strategies is a sound approach.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE11 The Coast

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Are these distances adequate given the now accelerating rise in sea level?

**Full text:**

Are these distances adequate given the now accelerating rise in sea level?

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE11 The Coast

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Support in principle

**Full text:**

Are these distances adequate given the now accelerating rise in sea level?

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE11 The Coast

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

We are encouraged to see the inclusion of this policy with recognition of Chichester Harbour's regional importance, an reference to the work of the CHaPRoN partnership.

**Full text:**

We are encouraged to see the inclusion of this policy with recognition of Chichester Harbour's regional importance, an reference to the work of the CHaPRoN partnership.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/trs>

**Document Element:** Policy NE11 The Coast

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE11, NE12, NE13 (where I would like to see more emphasis on resolving the problems of effluent), NE15, NE16 (where you do now tackle the issue of waste water), NE19, and NE20.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy NE11 The Coast

**Respondent:** Premier Marinas Limited [7981]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Noting the challenges Marinas now face, as mentioned above, we would suggest that the policy wording is amended as follows to include employment uses which are not prescriptive to marine uses only.

**Full text:**

Premier is pleased to see a recognition within the Plan for support for leisure and recreational use and water-based activities in the coastal areas, and marine employment uses.

Noting the challenges Marinas now face, as mentioned above, we would suggest that the policy wording is amended as follows to include employment uses which are not prescriptive to marine uses only:

"The council will continue to work with partner organisations and authorities to protect and enhance the P'an's coastal areas, including around Chichester Harbour, Pagham Harbour, Medmerry Compensatory Habitat and the open coast, whilst ensuring they continue to provide an important recreational, economic and environmental resource.

The council will support:

- ongoing habitat protection, restoration, enhancement and creation, including both compensatory and new coastal and wetland habitats; and opportunities to connect coastal and freshwater habitats and floodplain habitats at a catchment scale to facilitate wider nature recovery;
- careful location, design and review of flood defences to adapt to climate change and sea level rise, to reduce coastal squeeze and support natural processes;
- appropriate leisure and recreational uses, including water-based activities, and marine and non-marine related employment uses which meet local needs, complement existing employment, tourism and leisure uses and or provide a public benefit, including those which require direct access to water; where these uses avoid adverse environmental impacts".

**Change suggested by respondent:**

Suggest that the policy wording is amended as follows to include employment uses which are not prescriptive to marine uses only:

"The council will continue to work with partner organisations and authorities to protect and enhance the Plan's coastal areas, including around Chichester Harbour, Pagham Harbour, Medmerry Compensatory Habitat and the open coast, whilst ensuring they continue to provide an important recreational, economic and environmental resource.

The council will support:

- ongoing habitat protection, restoration, enhancement and creation, including both compensatory and new coastal and wetland habitats; and opportunities to connect coastal and freshwater habitats and floodplain habitats at a catchment scale to facilitate wider nature recovery;
- careful location, design and review of flood defences to adapt to climate change and sea level rise, to reduce coastal squeeze and support natural processes;
- appropriate leisure and recreational uses, including water-based activities, and marine and non-marine related employment uses which meet local needs, complement existing employment, tourism and leisure uses and or provide a public benefit, including those which require direct access to water; where these uses avoid adverse environmental impacts"

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxn>

## Object

**Document Element:** Policy NE11 The Coast

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are pleased to see the support in this policy for future habitat creation, as well as the delivery of flood defences and adaptation to climate change.

The policy requires a minor amendment to change the wording from 'Regional Habitat Compensatory Programme' to as it is now called the 'Habitat Compensation and Restoration Programme (HCRP)'. This also applies to paragraph 4.69.

There are specific locations within Chichester District which offer opportunities to provide saltmarsh and coastal grazing marsh in the medium to long term. These locations include areas in Fishbourne, Chidham and Hambrook and on Thorney Island.

**Full text:**

We are pleased to see the support in this policy for future habitat creation, as well as the delivery of flood defences and adaptation to climate change.

The policy requires a minor amendment to change the wording from 'Regional Habitat Compensatory Programme' to as it is now called the 'Habitat Compensation and Restoration Programme (HCRP)'. This also applies to paragraph 4.69.

There are specific locations within Chichester District which offer opportunities to provide saltmarsh and coastal grazing marsh in the medium to long term. These locations include areas in Fishbourne, Chidham and Hambrook and on Thorney Island.

**Change suggested by respondent:**

A minor amendment to change the wording from 'Regional Habitat Compensatory Programme' to as it is now called the 'Habitat Compensation and Restoration Programme (HCRP)'. This also applies to paragraph 4.69.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy NE11 The Coast

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Good policy.

**Full text:**

Good policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE11 The Coast

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

We are really encouraged to see the supporting text for this policy and the policy itself state that saltmarsh creation and habitat restoration projects that are identified through project mechanisms will be included in the Infrastructure Business Plan. Capturing areas for habitat restoration and creation enables the integration of nature's recovery in these more diverse and cross cutting strategies, which will help further embed the delivery of the Defra 25 Year Plan Paragraph: 009 Reference ID: 8-009-20190721

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy NE11 The Coast

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to it long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

**Full text:**

## Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding

will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

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## Object

**Document Element:** Policy NE11 The Coast

**Respondent:** Save our South Coast Alliance (Libby Alexander) [7648]

**Summary:**

The biodiversity of the entire fragile environment of the Chichester Coastal Plain will be wiped out as coastal erosion and flooding will eventually push the wildlife further inland. It will then face the barrier of all the housing developments and so fail.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Local Plan - Submission to CDC - <https://chichester.oc2.uk/a/sph>

**Document Element:** Policy NE11 The Coast

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

We are pleased to note that much of our previous advice on this key policy has been incorporated but would advise additions to the policy.

**Full text:**

**Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

Advise that the following additions should still be made for completeness and clarity:

- Expand supporting paragraph 4.65: "Since designation, almost half (46%) of the saltmarsh has been lost, with the remainder of poor quality. Coastal defences are constraining the natural processes within the harbour, that allows it to respond to climate change."
- Include reference to Chichester Harbour Conservancy in paragraph 4.66 as one of the key partners Natural England is working with.
- In relation to the final sentence in paragraph 4.66 we would like to point out that in its ability to control the amount and type of development in the district (including coastal defences, housing etc) the Local Plan has significant scope to contribute to addressing the various issues affecting Chichester Harbour.
- Expand first policy bullet to read "ongoing habitat protection, restoration, enhancement, and creation, including both compensatory and new coastal and wetland habitats to help meet the 30 by 30 targets set out in the Environmental Improvement Plan (2023); and opportunities to connect coastal and freshwater habitats and floodplain habitats at a catchment scale to facilitate wider nature recovery."

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Document Element:** Policy NE11 The Coast

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Support in principle

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Background, 4.74

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

Clarification needed for the 16 metre setback.

**Full text:**

We are pleased to see reference to a 16 metre setback from sea defences in paragraph 4.74, albeit this is from any sea defence not just those maintained by the Environment Agency. This allows for maintenance and emergency works. This paragraph should be amended accordingly – see suggestion below:

“The Environmental Permitting Regulations 2016 require the consent of the Environment Agency to be obtained for any works between low water mark and a line 16 metres from the landward side of any sea defences. A 16-metre strip of land is required for access for maintenance, emergency works and/or future improvement and the council will ensure the land is safeguarded from obstruction.”

**Change suggested by respondent:**

Please see our comments for suggested amendment.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None



**Object**

**Document Element:** Background, 4.75

**Respondent:** Lynn Reel [8121]

**Summary:**

Support SOSCA's objection: In Para 4.75 you state that the Council will require new buildings to be set back from the shore line by 25 metres. This will not be sufficient to safeguard life nor structure from the growing strength of our storms and sea level rise.

**Full text:**

Supports SOSCA's Submission as attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Supporting Document - <https://chichester.oc2.uk/a/sfy>

**Object**

**Document Element:** Background, 4.75

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

The 25 metres rule is likely inadequate. I don't know if this is based on the advice from Natural England, however with sea level rise and increased storminess with climate change, the future rate of erosion will be greater than 0.1m per year. The minimum should be 50m, with a policy preference for 100m. I suspect someone has underestimated the future rate of erosion.

**Full text:**

The 25 metres rule is likely inadequate. I don't know if this is based on the advice from Natural England, however with sea level rise and increased storminess with climate change, the future rate of erosion will be greater than 0.1m per year. The minimum should be 50m, with a policy preference for 100m. I suspect someone has underestimated the future rate of erosion.

**Change suggested by respondent:**

Change to 50m.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Background, 4.77

**Respondent:** Mrs Victoria Douglas [7725]

**Summary:**

Support to marine enterprise is welcomed, however current position is still too restrictive and does not reflect flexibility called for in NPPF paragraph 82 (d), i.e.

Policy should be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

**Full text:**

Support to marine enterprise is welcomed, however current position is still too restrictive and does not reflect flexibility called for in NPPF paragraph 82 (d), i.e.

Policy should be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

**Change suggested by respondent:**

It is considered important these are retained in this use, whilst being able to evolve and change to accommodate and develop new technology, and allow for new and flexible working practices (such as live-work accommodation)...etc.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Background, 4.79

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Please note that the CHaPRoN partnership will be preparing new Shoreline Defence Guidelines in 2023, with reference to Chichester Harbour AONB. It would be good if the Council could cite this emerging document, and maybe even consider it as a SPD in due course.

**Full text:**

Please note that the CHaPRoN partnership will be preparing new Shoreline Defence Guidelines in 2023, with reference to Chichester Harbour AONB. It would be good if the Council could cite this emerging document, and maybe even consider it as a SPD in due course.

**Change suggested by respondent:**

Add a reference to emerging Shoreline Defence Guidelines and consider adopting them as SPD in future.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Are these distances adequate given the now accelerating rise in sea level?

**Full text:**

Are these distances adequate given the now accelerating rise in sea level?

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Support in principle

**Full text:**

Are these distances adequate given the now accelerating rise in sea level?

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Mrs Victoria Douglas [7725]

**Summary:**

Not sound. With respect to the requirement for a marketing report, this may not be appropriate or required in all cases e.g. change of use for only a small part of a larger site, or change between different commercial use categories (again affecting small part of site). The point of this exceptional provision is to enable innovation from within an enterprise. What exactly would be marketed? Only the part of the site which is proposed for redevelopment/re-purposing or the whole site?

**Full text:**

Not sound. With respect to the requirement for a marketing report, this may not be appropriate or required in all cases e.g. change of use for only a small part of a larger site, or change between different commercial use categories (again affecting small part of site). The point of this exceptional provision is to enable innovation from within an enterprise. What exactly would be marketed? Only the part of the site which is proposed for redevelopment/re-purposing or the whole site?

**Change suggested by respondent:**

Remove the following sentence "A marketing report as set out in Appendix C will be needed to show that the site is no longer needed for its current use." Alternative forms of evidence could be used to demonstrate value of current and proposed uses.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

We support the inclusion of a policy that recognises the issues relating to the coastline in the face of changing climate, its resilience and future development.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE11, NE12, NE13 (where I would like to see more emphasis on resolving the problems of effluent), NE15, NE16 (where you do now tackle the issue of waste water), NE19, and NE20.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sjg>

## Object

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

the policy is vague and imprecise as to what areas will be covered - in other authorities {Fareham for example} the policy map has defined those areas that are considered to be around the coast.

As written it is vague and imprecise

**Full text:**

the policy is vague and imprecise as to what areas will be covered - in other authorities {Fareham for example} the policy map has defined those areas that are considered to be around the coast.

As written it is vague and imprecise

**Change suggested by respondent:**

Make clear through the policy map exactly what land is covered by this policy

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

Consider using the Highest Astronomical Tide level rather than Mean High Water.

Clarification may be needed for the paragraph about replacement buildings.

Inclusion of a new bullet point to encourage future relocation within property boundary if impacted by coastal erosion.

**Full text:**

The Local Authority may wish to consider using the 'Highest Astronomical Tide' (HAT) level rather than 'Mean High Water' (MHW) for the proposed minimum 25 metre setback. In the harbours, the presence of saltmarshes can push MHW quite far away from defences yet with sea level rise, i.e. even without erosion of the saltmarsh, the line can suddenly 'jump' right to the defence, while the HAT is in almost all cases already at the defence.

We note the 25 metre setback specified in this policy as a minimum requirement. The Local Authority may want to allow for a degree of flexibility to allow a greater setback if they wish to be more aspirational in particular locations as informed by any future coastal studies or data.

We question whether the paragraph regarding replacement buildings need clarification (i.e. the paragraph that says "Replacement buildings will be permitted unless there is evidence that the existing or demolished property has been damaged as a result of the effect of wind and waves. Replacement buildings should be set further back whenever possible"). A replacement building which is setback from its previous position is likely to be a new building, which should therefore accord with the minimum 25 metre setback. The last sentence could lead to confusion.

We suggest a further bullet point 8 to be added to says "The development considers coastal erosion impacts over its lifetime and where possible and relevant, is constructed in a way such that future relocation within the property boundary is possible to mitigate future impacts."

**Change suggested by respondent:**

Consider using the Highest Astronomical Tide level rather than Mean High Water.

Clarification may be needed for the paragraph about replacement buildings.

Inclusion of a new bullet point to encourage future relocation within property boundary if impacted by coastal erosion.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Mr Justin Atkinson [4875]

**Summary:**

Consideration should be given to protecting the marine environment off of Selsey, one of the most diverse and production rich marine habitats in southern Britain!

In the 20 years I have lived in Sesley the decline in mammals, birds, insects and marine life is horrifying and this is a direct result of over development. This over development has been allowed and overseen by various MP's and councillors over the years and it is really quite disgraceful.

**Full text:**

A disproportionate amount of building has already taken place on the Manhood Peninsular and in Selsey, in particular, already. This has damaged every aspect of this part of West Sussex. The strain on facilities, roads, etc has reached breaking point. One of best areas for wildlife in West Sussex has been very badly affected to the detriment of said wildlife. Noise and light pollution is at an all-time high. It is not enough now to say large scale projects will paused for now. All but the most essential development should be stopped completely for the foreseeable future.

Also, consideration should be given to protecting the marine environment off of Selsey, one of the most diverse and production marine habitats in southern Britain!

In the 20 years I have lived in Sesley the decline in mammals, birds, insects and marine life is horrifying and this is a direct result of over development. This over development has been allowed and overseen by various MP's and councillors over the years and it is really quite disgraceful.

**Change suggested by respondent:**

Consideration should be given to protecting the marine environment off of Selsey, one of the most diverse and production marine habitats in southern Britain!

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

We question whether this could or should be a more ambitious roll back distance, given the sea level rises predicted. We seek clarity from CDC on whether the 16 or 25 metre clearance buffers are a rolling measurement to incorporate continual coastal erosion, or if they are measured from a fixed point from the time of the plan publication?

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

It would be helpful in this section to see greater reference to the challenging issues around sea defences - both repairs to existing and new structures, and to the need for Marine Management Organisation and Natural England consent for any works adjacent to the SSSI.

**Full text:**

It would be helpful in this section to see greater reference to the challenging issues around sea defences - both repairs to existing and new structures, and to the need for Marine Management Organisation and Natural England consent for any works adjacent to the SSSI.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/trt>

## Object

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.
14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Premier suggest the specific requirement for new development around Chichester Harbour and Pagham Harbour to be setback 25 metres (measured from the mean high water level to allow for future erosion) should be removed as this will stifle development. Whilst Premier recognise the importance of flooding and issues with coastal erosion, this 'catch all' policy is too restrictive and instead minimum setbacks should be considered on a site-by-site basis based in necessary flood / ground conditions analysis.

**Full text:**

Premier welcome supporting paragraph 4.77 and the importance of an "active marine economy, including boatyards and marina sites" and the associated benefits of these to the economy of the wider area and a for tourism and recreation. However, supporting paragraph 4.78 states that: "exceptionally... a small part of a marina or boatyard to be used for alternative uses", is unacceptably restrictive. This relates also to the comments made in respect of Draft Policy NE11. The case has clearly been made in relation to other policy elements around the need for economic diversification at marinas in association with maintaining existing employment uses and supporting new tourism/leisure developments. The policy direction acknowledges that housing pressure from Government is a relevant concern. Premier considers that residential and leisure and tourism uses are essential to waterside placemaking and its portfolio of 10 marinas demonstrates that these uses not only co-exist comfortably with marine uses but enhance and contribute to the sense of place. Chichester Marina has an established residential community on-site. This includes the 31 residential houseboats on the Chichester Canal on which residential use dates back over 50 years. More recently, in 2016, Premier invested £4m at Chichester Marina in converting redundant and end of life office and retail property into of 19 residential apartments. These are let on a short term and a long-term basis to people either looking for a short break. or a more permanent residence in the marina and have provided a new lease of life to otherwise redundant buildings. The majority of successful marinas offer a wide range if uses from residential through to retail and commercial. Amongst Premier's portfolio of ten marinas there is residential use either on or immediately adjacent to nine of its sites. Residential use is widely acknowledged as being highly complementary to marinas, which in turn provide the context for residences. Premier has an established record in master planning marinas and waterside place making. Port Solent, a marina comprising residential, retail, commercial and marine uses, was the first example of this. More recently, in 2018, Premier secured hybrid planning permission for a mixed-use scheme at Noss on Dart Marina, located in the South Hams AONB. The scheme offers a high quality new marina, boatyard, commercial development and hotel alongside a substantial residential development. Although localised to reflect the uniqueness of its location, the approved plans for Noss on Dart demonstrate that the mixed-use sustainable development which is critical to ensuring the longevity of marinas and the communities which they support is possible in sensitive areas. The masterplan for Noss on Dart is widely acknowledged as setting the standard for marina master planning and provides an example of what can be achieved in a countryside and AONB location that is very similar to that of Chichester Marina. Both sites share similar operational and socio-economic challenges the importance of diversification to creating sustainable marinas cannot be underestimated. In addition, Premier suggest the specific requirement for new development around Chichester Harbour and Pagham Harbour to be setback 25 metres (measured from the mean high water level to allow for future erosion) should be removed as this will stifle development. Whilst Premier recognise the importance of flooding and issues with coastal erosion, this 'catch all' policy is too restrictive and instead minimum setbacks should be considered on a site-by-site basis based in necessary flood / ground conditions analysis.

**Change suggested by respondent:**

Remove reference to 25m setback and suggest that minimum setbacks be considered on a case by case basis based on flood and ground conditions analysis.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxm>

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle.

**Full text:**

Premier welcome supporting paragraph 4.77 and the importance of an “active marine economy, including boatyards and marina sites” and the associated benefits of these to the economy of the wider area and a for tourism and recreation.

However, supporting paragraph 4.78 states that: “exceptionally... a small part of a marina or boatyard to be used for alternative uses”, is unacceptably restrictive. This relates also to the comments made in respect of Draft Policy NE11.

The case has clearly been made in relation to other policy elements around the need for economic diversification at marinas in association with maintaining existing employment uses and supporting new tourism/leisure developments.

The policy direction acknowledges that housing pressure from Government is a relevant concern. Premier considers that residential and leisure and tourism uses are essential to waterside placemaking and its portfolio of 10 marinas demonstrates that these uses not only co-exist comfortably with marine uses but enhance and contribute to the sense of place.

Chichester Marina has an established residential community on-site. This includes the 31 residential houseboats on the Chichester Canal on which residential use dates back over 50 years. More recently, in 2016, Premier invested £4m at Chichester Marina in converting redundant and end of life office and retail property into of 19 residential apartments. These are let on a short term and a long-term basis to people either looking for a short break. or a more permanent residence in the marina and have provided a new lease of life to otherwise redundant buildings.

The majority of successful marinas offer a wide range of uses from residential through to retail and commercial. Amongst Premier’s portfolio of ten marinas there is residential use either on or immediately adjacent to nine of its sites. Residential use is widely acknowledged as being highly complementary to marinas, which in turn provide the context for residences.

Premier has an established record in master planning marinas and waterside place making. Port Solent, a marina comprising residential, retail, commercial and marine uses, was the first example of this. More recently, in 2018, Premier secured hybrid planning permission for a mixed-use scheme at Noss on Dart Marina, located in the South Hams AONB. The scheme offers a high quality new marina, boatyard, commercial development and hotel alongside a substantial residential development. Although localised to reflect the uniqueness of its location, the approved plans for Noss on Dart demonstrate that the mixed-use sustainable development which is critical to ensuring the longevity of marinas and the communities which they support is possible in sensitive areas.

The masterplan for Noss on Dart is widely acknowledged as setting the standard for marina master planning and provides an example of what can be achieved in a countryside and AONB location that is very similar to that of Chichester Marina. Both sites share similar operational and socio-economic challenges the importance of diversification to creating sustainable marinas cannot be underestimated.

In addition, Premier suggest the specific requirement for new development around Chichester Harbour and Pagham Harbour to be setback 25 metres (measured from the mean high water level to allow for future erosion) should be removed as this will stifle development. Whilst Premier recognise the importance of flooding and issues with coastal erosion, this ‘catch all’ policy is too restrictive and instead minimum setbacks should be considered on a site-by-site basis based in necessary flood / ground conditions analysis.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxm>

## Object

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Set back requirement of “at least 25m” is key tenet of policy. Advise that distance should not be changed but supporting text should reference National Coastal Erosion Risk Management (NCERM) work carried out by the Environment Agency (maps and measurements for projected coastal erosion). This information may not be captured in latest Shoreline Management Plan (SMP) or Coastal Defence Strategy (CDS). Development should be set back in line with expected property lifetime and the estimated erosion rates.

Either NE12 or E9 should clarify the expectation that new caravans or camping sites in coastal locations will not result in the creation of new defences but expected to move landward or removed if they become at risk from coastal change / flooding.



**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

We would also strongly advise that the policy requirements are amended / expanded as follows (a number of these points were made previously in our non-statutory response dated 7th February 2022):

Policy Requirement 2 to include the following additional wording "The development provides recreational opportunities (requiring a coastal location), that do not adversely affect..."

Policy Requirement 6 to include the following additional wording "Where relevant, the development would result in improvements to or redistribution of moorings, marine berths or launch on demand facilities (dry berths) in the harbours whilst also ensuring that any small-scale loss of mudflat within the designated sites is compensated for. Small-scale but cumulative losses of mudflat habitat within the harbours is an issue and beyond this policy wording we would appreciate the opportunity to work with your authority to find a strategic way to address it.

Inclusion of an additional requirement "Wherever possible the development secures opportunities for the enhancement/creation/restoration of coastal/wetland habitats (guided by any local nature recovery strategy) and contributes to Biodiversity Net Gain.

Inclusion of an additional requirement "Undeveloped areas on low lying land around Chichester Harbour are prioritised for opportunities that actively restore coastal habitats or works with natural processes to address climate impacts and loss of biodiversity"

Inclusion of an additional requirement "The development can demonstrate consideration of and adaptation to future climate scenarios and their potential impacts, including (but not limited to) shading, surface water flooding, wind-blown sand, wave-driven shingle.

Policy paragraph to be expanded as follows "Replacement buildings will be permitted unless there is evidence that the existing or demolished property has been damaged as a result of the effect of wind and waves. Replacement buildings should be set further back in line with NCERM erosion prediction and coastal flooding and should not hinder coastal processes with regard to designated sites if applicable.

Policy Requirement b. (in relation to boatyard and marina sites) to include the following additional wording "Harm nature conservation (particularly in relation to loss of mudflat), landscape or heritage interests;

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Save our South Coast Alliance (Libby Alexander) [7648]

**Summary:**

In the Plan's Policy NE12 planning permission will be granted for development on the coast where it can be demonstrated there are measures in place to mitigate any detrimental effects. Bracklesham, Medmerry, Pagham, Bosham and Fishbourne have all suffered coastal erosion. The policy for these is 'Hold The Line' and since there is no or little funding for mitigation the erosion will continue thus jeopardising all developments along the shoreline and behind.

In Para 4.75 you state that the Council will require new buildings to be set back from the shore line by 25 metres. This will not be sufficient to safeguard life nor structure from the growing strength of our storms and sea level rise.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Local Plan - Submission to CDC - <https://chichester.oc2.uk/a/sph>

## Object

**Document Element:** Policy NE12 Development around the Coast

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

[Duplication of 5800]

Paragraph 4.28 only makes reference to nitrate pollution and recreational disturbance as two particular pressures on the harbours. In the recent condition assessment of Chichester Harbour (referenced elsewhere in the plan) over half the saltmarsh has been lost since designation mainly due to coastal management and coastal squeeze.

We would strongly advise that given the significance of the issue that policy requirements are also included in this policy (NE6) and NE12 Development Around the Coast)

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

We would urgently advise that a third pressure to the harbours should be added which is inappropriate coastal management (resulting in significant impacts including coastal squeeze). While we appreciate the references to coastal squeeze in policies NE11 and NE15 we would strongly advise that given the significance of the issue that policy requirements are also included in this policy (NE6) and NE12 Development Around the Coast).

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Background, 4.80

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

There's that "inappropriate development" phrase again. I would change it to "...particularly vulnerable to visual intrusion from urbanisation, both within or adjacent to the boundary."

**Full text:**

There's that "inappropriate development" phrase again. I would change it to "...particularly vulnerable to visual intrusion from urbanisation, both within or adjacent to the boundary."

**Change suggested by respondent:**

Change "inappropriate development" to "urbanisation".

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 4.81

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Ok, so I would change the word "produced" to "published" in the two instances it is mentioned. The Management Plan was subject to a consultation period of 8 weeks. There are now 19 Planning Principles, not 18. And please keep in mind that the Management Plan expires on 1 April 2024, when it will be replaced by a light touch 12 month Plan. The new 5 year Management Plan will commence from 1 April 2025. Finally, CHaPRoN is working to replace the outdated Sustainable Shorelines: General Guidance document this year.

**Full text:**

Ok, so I would change the word "produced" to "published" in the two instances it is mentioned. The Management Plan was subject to a consultation period of 8 weeks. There are now 19 Planning Principles, not 18. And please keep in mind that the Management Plan expires on 1 April 2024, when it will be replaced by a light touch 12 month Plan. The new 5 year Management Plan will commence from 1 April 2025. Finally, CHaPRoN is working to replace the outdated Sustainable Shorelines: General Guidance document this year.

**Change suggested by respondent:**

Change produced to published and update references.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

This needs to be rigorously upheld. The setting of the AONB needs to be better clarified.

**Full text:**

This needs to be rigorously upheld. The setting of the AONB needs to be better clarified.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Support in principle

**Full text:**

This policy is of the utmost importance. Chichester Harbour is in decline and the AONB needs to be conserved. How is the setting of the AONB defined? What would exceptional circumstances be? We feel that this is too loose an expression and provides a get out for developers?

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty  
**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Thank you very much including this policy. My only comment is to suggest the 25m is pushed back to 50m.

**Full text:**

Thank you very much including this policy. My only comment is to suggest the 25m is pushed back to 50m.

**Change suggested by respondent:**

Increase 25m to 50m.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty  
**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Support in principle

**Full text:**

Thank you very much including this policy. My only comment is to suggest the 25m is pushed back to 50m.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty  
**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

The proposed allocations within the East/West corridor, would not comply with this policy and would damage the visual relief to the built up areas and the views between the AONB and the SDNP.

**Full text:**

The proposed allocations within the East/West corridor, would not comply with this policy and would damage the visual relief to the built up areas and the views between the AONB and the SDNP.

**Change suggested by respondent:**

Proposed allocations adjacent to the AONB and impacting on its setting, including views into and from the SDNP should be removed.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty  
**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SW supports the inclusion of a policy that seeks to protect the Chichester Harbour Area of Outstanding Natural Beauty. This is consistent with the NPPF section 176 of the NPPF 2021.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

This policy is of the utmost importance. Chichester Harbour is in decline and the AONB needs to be conserved. How is the setting of the AONB defined? What would exceptional circumstances be? We feel that this is too loose an expression and provides a get out for developers?

**Full text:**

This policy is of the utmost importance. Chichester Harbour is in decline and the AONB needs to be conserved. How is the setting of the AONB defined? What would exceptional circumstances be? We feel that this is too loose an expression and provides a get out for developers?

**Change suggested by respondent:**

Clarify what is meant by the setting of the AONB and what would be exceptional circumstances.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

Reference to intervisibility (into and from the South Downs National Park) is welcomed and supported.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Object

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE11, NE12, NE13 (where I would like to see more emphasis on resolving the problems of effluent), NE15, NE16 (where you do now tackle the issue of waste water), NE19, and NE20.

**Full text:**

See attachment.

**Change suggested by respondent:**

I would like to see more emphasis on resolving the problems of effluent.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Point 3 again seems to seek to introduce a gap policy with no specific boundaries drawn on the proposals map.

Does it relate solely to settlements with a policy boundary?

Does it relate to gaps within the AONB or from a settlement within to a settlement outside?

Point 6 - What is the justification for a 25m setback for ALL development - it is not explained in supporting text and in some cases it just wont be possible.

For replacement the reference to further back - is that further back than 25m or further back than the existing building?

**Full text:**

Point 3 again seems to seek to introduce a gap policy with no specific boundaries drawn on the proposals map.

Does it relate solely to settlements with a policy boundary?

Does it relate to gaps within the AONB or from a settlement within to a settlement outside?

Point 6 - What is the justification for a 25m setback for ALL development - it is not explained in supporting text and in some cases it just wont be possible.

For replacement the reference to further back - is that further back than 25m or further back than the existing building?

**Change suggested by respondent:**

Remove 3 or have a plan showing the gaps.

Reword 6 to include 'Where possible' at the beginning. Also clarify the set back for replacement buildings

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** John Newman [8169]

**Summary:**

Support in principle.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sj>

## Object

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** Obsidian Strategic [7973]

**Agent:** Andrew Black Consulting (Mr Andrew Black, MD) [7597]

**Summary:**

CDC discounted all sites within the AONB, including the site at Main Road, Hermitage, at an early stage of the plan making process. This is not considered effective or consistent with national policy which does not class such sites as an absolute constraint. Other local authorities have allocated such sites in order to deliver the full objectively assessed needs.

No evidence is set out within the Local Plan or supporting evidence base to state what is considered to be a major development site in the district. This is a matter which has been considered at length in other Local Plan examinations [examples given include the South Downs National Park Authority and Mid Sussex District Council].

**Full text:**

I write in response to the regulation 19 consultation version of the Chichester Local Plan 2021/2039 on behalf of my client Obsidian Strategic.

Obsidian Strategic have an interest in a site to the South of Main Road, in Hermitage, within the Southbourne Neighbourhood Plan Area. Further details in relation to the site are set out within the appendices of these representations and referred to throughout.

**Housing Requirement**

The identified housing need for Chichester District Council (CDC) as calculated by the standard method is 638 dwellings per annum (dpa). However, the local plan only seeks to provide 575 dpa or a total supply of 10,350 over the plan period (2021-2039). As result the proposed strategy represents an under supply of 1,134 over the plan period. Furthermore, the undersupply means that CDC is unable to accommodate the unmet arising from the South Downs National Park.

In recent years CDC has not been able to demonstrate a five year housing land supply nor has it delivered housing against the requirements of the Housing Delivery Test. It is therefore important that the unmet need is made up within the early part of the plan period.

Paragraph 5.2 of the plan states that the under supply is due to constraints across the district particularly the capacity of the A27.

Policy H1 (Meeting Housing Needs) sets out the housing target of 10,350 dwellings to be delivered over the plan period 2021-2039. Considering the

existing commitments, allocations and permissions this gives a remaining figure without planning permission of 3,056 homes for allocation in the Local Plan.

#### Strategic Allocations

Policy H2 of the reg 19 plan sets out the following strategic site allocations which are carried forward from the 2015 Local Plan:

**\*\*Table\*\***

Table 11 of the latest Annual Monitoring Report (AMR) (produced in November 2022) show the progress of delivery from these allocations:

**\*\*Table\*\***

Table 12 of the AMR sets out the progress of the large sites towards future delivery as follows:

**\*\*Table\*\***

The Housing Trajectory as set out in Appendix E of the Local Plan shows delivery of the existing allocations as set out under policy H2. Given that the Land at Shopwyke (A7) and the Land at Westhampnett/North-East Chichester (A9) already have permission for the number of dwellings in the allocation and construction has already started, there is no objection to the predicted levels of delivery as set out in the trajectory. However, the housing trajectory sets out delivery from the Land West of Chichester (Phase 2) (A6) and Tangmere SDL as follows:

**\*\*Table\*\***

Given that neither of these sites have outline permission then the delivery of units from both sites in a little over 5 years from the adoption of the plan is considered wholly unachievable.

CDC has presented no evidence to justify how this timeframe would be achieved and it is considered that the trajectory is unreliable as a result.

The Local Plan sets out a Broad Location for Development at Southbourne which would be delivered through either the Neighbourhood Plan process or a Site Allocation DPD:

**\*\*Table\*\***

The Housing Trajectory as set out in appendix E of the Local Plan sets out the following delivery from this site:

**\*\*Table\*\***

Given that policy A13 remains as a 'broad area for development' it is not considered that there is adequate justification for the trajectory as set out. Notwithstanding the effectiveness of allocating a site in this way, an exact location for the housing is yet to be defined, nor is delivery through the neighbourhood plan/DPD confirmed (further details on this is set out within the reps). Until a more detailed site can be defined and delivery confirmed it is not considered that CDC is able to guarantee delivery of dwellings in the housing trajectory as it has done so within the plan.

#### Non-Strategic Parish Housing Requirements

Policy H3 sets out the following housing requirements from individual parishes.

**\*\*Table\*\***

The supporting text of policy H3 sets out that if draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

Table 13 of AMR identifies that there has been historically poor delivery of net housing completions from parishes:

**\*\*Table\*\***

The overall strategy as set out by CDC in the plan is highly dependent on the delivery of housing from Neighbourhood Plan areas. Whilst this approach is not un-sound in itself, it is considered that the plan in its current form allows for little mitigation or alternatives should delivery not come forward in the neighbourhood plan areas.

In order for the plan to be considered positively prepared and justified it is recommended that additional wording is added to policy H3 to state that individual applications can come forward on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

#### Southbourne

As set out, the Local Plan proposes a 'Broad Location for Development' at Southbourne for the delivery of 1,050 dwellings. This approach follows the withdrawal of the previously draft version of Neighbourhood Plan after it was found not to comply with basis conditions following examination in early 2022. Southbourne Parish Council is now pursuing a revised Neighbourhood Plan which has been submitted to CDC for a regulation 16 consultation. Obsidian previously responded to the regulation 14 consultation in late 2022 and these are appended to these representations.

The revised Southbourne Neighbourhood Plan does not seek to allocate any new housing allocations and instead takes a protectionist stance against any new development as an interim position whilst the Local Plan is prepared. However, once the Neighbourhood Plan is made, it would form part of the development plan for CDC. It is highly likely that a made Neighbourhood Plan in the form currently proposed by Southbourne would make the allocation of additional housing in the parish less likely rather than more likely.

The Sustainability Appraisal (SA) as prepared for the regulation 19 of the Local Plan sets out the proposed approach to Southbourne as follows:

3.1. With the decision of Southbourne Parish Council to no longer proceed with the inclusion of a strategic allocation in their neighbourhood plan, the Council considered three options for taking forward development in Southbourne, namely:

- Option 1 - redistribute the housing number elsewhere
- Option 2 - allocate a strategic site
- Option 3 - identify a Broad Location for Development

The SA goes on to set out the reason for option 1, for redistributing the housing number elsewhere, being discounted as follows:

3.2. As set out in the Housing Background Paper, the preferred spatial strategy is to focus the majority of growth at Chichester and the east west corridor, with a focus on the Settlement Hubs within the corridor. To redistribute the housing number to other parts of the plan area would not be consistent with the preferred spatial strategy nor reflective of the role of Southbourne as one of the more sustainable locations in the plan area capable of delivering strategic scale development. The ability to redistribute the number to other locations within the east/west corridor is also severely limited

due to infrastructure constraints (impact on A27 junctions) or environmental restrictions (wastewater treatment capacity). For these reasons, Option 1 was discounted.

Whilst it is accepted that the redistribution of the entire requirement of 1,050 homes would be problematic, it is considered that CDC should have tested the allocation of other alternative sites such as that at Main Road, Hermitage and other suitable alternative sites.

The SA goes on to set out consideration of option 2 as follows:

3.3. In order to allocate a site in a Local Plan, it needs to have gone through a rigorous process to ensure that the Council can demonstrate that the allocated site is suitable, given reasonable alternatives, and is based on proportionate evidence. Given there is more than one site or combination of sites that could come forward as an allocation in Southbourne, a clear process setting out for why one site was chosen over another would be needed, informed by site specific technical information.

This is correct and it is therefore not accepted that an approach to allocate a broad area for development would be robust, deliverable or effective. The SA goes on to state:

3.5. The allocation of a strategic site at Southbourne would also be a significant change in approach at a late stage of the Local Plan preparation process. The additional technical evidence that would need to be undertaken to justify a Local Plan allocation at this stage would impact significantly in terms of delay to the finalisation of the Regulation 19 Local Plan and its subsequent submission to the Secretary of State for examination. For these reasons Option 2 was discounted.

This provides further weight to the position set out within these representations that the expectation of delivery from the 'broad area' at Southbourne is overly ambitious and it is clear there is significant technical work to undertake on the delivery of homes from the allocation as part of the future plan making process.

The SA goes on to set out the justification of option 3 as follows:

3.6. The identification of a BLD is consistent with the National Planning Policy Framework (NPPF). Paragraph 68 states that for years 6 -10 of the plan, local authorities should through their planning policies identify a supply of 'specific, developable sites or broad locations for growth'.

3.7. There is no definition of 'broad locations' in national policy. It is generally taken to be an area within which housebuilding could reasonably be expected to take place based on the availability of land having regard to the Housing and Economic Land Availability Assessment (HELAA). A BLD does not have a specific geographic location or physical boundary. Areas are identified as broad locations because at that stage it is not yet possible to identify the precise boundaries of a site until further detailed site work has been done. By identifying a broad location gives flexibility and may increase the prospect of appropriate and effective growth i.e. where there is some doubt as to the most effective site boundary could prevent growth coming forward or prevent the most sustainable solution. However, a broad location might be expected to accommodate a significant amount of development; in some cases a single site may be of a sufficient size to accommodate all of the potential development or a number of sites that abut other sites may be considered together.

This is not considered a rational approach to take. Whilst there is no definition of 'broad location' within national policy it is considered that the words 'specific' and 'developable' must be taken at their basic meaning and indeed as set out in the glossary of the framework. It is not considered that the allocation of such a large area for a 'broad location' would be specific, effective or justified against the tests of soundness in the NPPF.

The allocation of Southbourne under policy A13 would represent over 10% of the total housing delivery in the plan. This is considered too significant to leave to a broad location for development.

As set out, Southbourne Parish Council is already at advanced stages of a revised Neighbourhood Plan which does not include the allocation of any of the development parcel envisaged under policy A13. In terms of delivery through the Site Allocations DPD, the timetable for this is set out within the most recent Local Development Scheme (January 2023) which sets out the following:

**\*\*Table\*\***

As set out, the housing trajectory assumes delivery of dwellings from the allocation at Southbourne in 2028/29. Given that the Site Allocation DPD would not be delivered until Winter 26/27 at the earliest, and the delivery through the Neighbourhood Plan has been discounted by the progression of a NP without the allocation, then the deliverability of any development at Southbourne remains wholly unjustified within the plan period.

The SA goes on to set out the approach to alternative sites in Southbourne Parish as follows:

4.3. The 2021 HELAA assessed 41 sites in Southbourne Parish (see Appendix 1). Of these, 18 sites were discounted because the site either had planning permission/were under construction (five sites); it was within the Chichester Harbour Area of Outstanding Natural Beauty (AONB) (eight sites); there was insurmountable access issues (two sites); it was in Flood Zone 3 (one site); or there was a legal restriction on the site use (in this case a Section 106 Agreement restricting use to open space) (two sites). These sites were not considered further for inclusion within the BLD.

The land at Main Road was one of the sites discounted due to being located in the AONB. For the reasons set out within subsequent sections of these representation, it is not considered that it was necessary to discount sites within the AONB as other councils have taken the decision to use such sites to meet housing need and not considered the AONB as an absolute constraint.

Specialist Accommodation for Older People

Para 5.41 of the regulation 19 of the Plan sets out the following:

The Housing and Economic Development Needs Assessment (HEDNA) 2022 estimates the greatest population increase in the district by 2039 to be those in age groups 75 and over. To support an ageing population there should be provision of suitable housing options for the differing needs of individuals, including:

- Sufficient adaptable and/or accessible market housing stock so that those wishing to remain in their own homes can do so as their needs change.
- Smaller homes, for those wishing to downsize, and bungalows.
- Extra care housing, for those able to live relatively independently but requiring on-site support.
- Care homes, for those needing additional support.

Table 8.1 of the HEDNA sets out the current population breakdown for separate groups over 65 and demonstrates that CDC has a significantly higher percentage in all age groups over 65 than the average in West Sussex, the South East or England:

**\*\*Table\*\***

Policy 8.12 of the HEDNA goes on to set out the need for different groups as follows:

**\*\*Table\*\***

The HEDNA sets out the following commentary in this regard:

8.41 It can be seen by 2039 there is an estimated need for between 2,131 and 2,872 additional dwellings with support or care across the whole study area. In addition, there is a need for 429-800 additional nursing and residential care bedspaces.

8.42 Typically for bedspaces it is conventional to convert to dwellings using a standard multiplier (1.80 bedspaces per dwelling for older persons accommodation) and this would therefore equate to around 238-445 dwellings.

8.43 In total, the older persons analysis points towards a need for around 2,369-3,317 units over the 2021-39 period (132-184 per annum) – the older person need equates to some 17-24% of all homes needing to be some form of specialist accommodation for older people.

Given the significant need for Specialist Housing Accommodation across the district it is vital that this is planned for adequately within the emerging Local Plan. The Planning Practice Guidance sets out why it is important to plan for housing needs of older people as follows:

The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.

Paragraph: 001 Reference ID: 63-001-20190626 Revision date: 26 June 2019



The PPG goes onto state how housing requirements of such groups should be addressed in plans:

Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the planmaking authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.

Paragraph: 006 Reference ID: 63-006-20190626 Revision date: 26 June 2019

Policy H8 states:

All housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people to include a support or care component. The specific type and amount of accommodation required will depend on the size and location of the site.

Proposals for specialist housing, such as homes for older people, student, HMOs or essential worker accommodation, and other groups requiring specifically designed accommodation will be supported where the following criteria are met:

- 1) There is an identified need;
- 2) It will not lead to a concentration of similar uses in an area that would be detrimental to the character or function of an area and / or residential amenity;
- 3) It is in close proximity to everyday services, connecting by safe and suitable walking / cycling routes or public transport for the intended occupier;
- 4) It can be demonstrated that the development is designed to provide the most appropriate types of support for the target resident;
- 5) It can be demonstrated that revenue funding can be secured to maintain the longterm viability of the scheme (if relevant to the type of accommodation proposed); and
- 6) The scheme is supported by the relevant agencies (if relevant to the accommodation type to be provided).

Proposals which may result in the loss of specialist needs accommodation will not be permitted unless it can be demonstrated that there is no longer a need for such accommodation in the plan area, or alternative provision is being made available locally through replacement or new facilities.

Whilst this approach goes some way to addressing the care needs it is felt that the policy lacks effectiveness and should take a far more constructive and positive approach to the provision of housing for older people.

The wide range of different housing typologies is set out within the Planning Practice Guidance as follows:

- Age-restricted general market housing: This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.
- Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager.
- Extra care housing or housing-with-care: This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.
- Residential care homes and nursing homes: These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes.

[Paragraph: 010 Reference ID: 63-010-20190626].

It is considered that a residential care home (including housing for dementia needs) could be developed on the Land South of Main Road without causing harm to the AONB and this would provide for a clear need within the village whilst also providing employment to local workers.

Development in AONB

The NPPF sets out the following in relation to development in the AONB at paragraph 172 as follows:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development<sup>55</sup> other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

Footnote 55 of paragraph 172 is relevant for the consideration of what is considered as major development and states:

For the purposes of paragraphs 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

No evidence is set out within the Local Plan or supporting evidence base to state what is considered to be a major development site in the district. Neither the Chichester Harbour AONB: State of the AONB Report (May 2018) or the Chichester Harbour AONB Landscape Character Assessment (April 2019) contain any references to what is considered to constitute a major development.

This is a matter which has been considered at length within other Local Plan examinations. As part of the evidence for its Local Plan, the South Downs National Park sought successive legal opinions from James Maurici QC on what should be considered as 'Major Development' in the AONB and have subsequently become widely known as the 'Maurici Opinions' in other Local Plan examinations. The opinions set out the following conclusions:

- It is a matter of planning judgement to be decided by the decision maker.
- Major development is to be given its ordinary meaning, and it would be wrong to apply the definition of major development contained within the Town and Country Planning (Development Management Procedure) (England) Order 2015. It would also be wrong to apply any set or rigid criteria for defining major development, and the definition should not be restricted to development proposals that raise issues of national significance.
- The decision maker may consider whether the proposed development has the potential to cause a significant adverse impact on the purposes for which the area has been designated or defined, rather than whether there will indeed be a significant adverse impact from the proposed development.
- The decision maker may consider the proposed development in its local context as a matter of planning judgement.
- There may be other considerations but which may not determine whether a proposed development is major development. For example, if the proposed development is Environmental Impact Assessment (EIA) development.
- The ordinary sense of the word 'major' is important and the decision maker should take a common sense view as to whether the proposed development could be considered major development.

In the Mid Sussex District Council Site Allocations DPD Evidence Base there is a topic paper setting out consideration of Major Development in the AONB and concludes that several of the allocations, in some cases up to 70 dwellings, would not be classed as major development in the AONB following a detailed review of each of the factors as set out in footnote 55 of the NPPF against each proposed allocation.

It is considered that this approach should have been undertaken for each of the individual sites discounted in the Local Plan (including Main Road, Hermitage), rather than simply discounting on the sole fact that they were in the AONB.

Sustainability Appraisal

The legal frameworks for SAs are set out within section 19 of the Planning and Compulsory Purchase Act 2004 which states that the authority must prepare a plan with the objective of contributing to the achievement of sustainable development. Moreover, the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 states that SAs must ensure that the potential environmental effects are given full consideration alongside social and economic issues.

It is not considered that the council has given full consideration to all effects nor are the conclusions of the SA in respect of those impacts robust and logical.

Paragraph 32 of the framework goes on to state that the SA should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

The SA sets out whether it was reasonable to explore higher growth scenarios as follows:

5.2.12 As discussed above, the PPG on Housing and Economic Needs Assessment sets out reasons for providing for 'above LHN' through local plans, referring to situations where there are "growth strategies for the area... (e.g. Housing Deals); strategic infrastructure improvements that are likely to drive an increase in [need]; or an authority agreeing to take on unmet need from neighbouring authorities..." Also, affordable housing needs can serve as a reason for considering setting the housing requirement at a figure above LHN, with the PPG stating: "An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes."

5.2.13 However, in the Chichester context there is little or no argument for exploring scenarios whereby the housing requirement is set at a figure above LHN, given the issues discussed above at paragraph 5.2.11. Unmet housing needs are a widespread issue across the sub-region, but there is no realistic potential to provide for unmet housing needs within Chichester. At the time of the Preferred Approach consultation (2018/19), the proposal was to provide for both locally arising housing needs in full and a proportion of the unmet needs arising from the SDNP (41 dpa). Also, it is noted that the SA report published as part of the consultation considered scenarios – considered to be 'reasonable' at that point in time – that would see the housing requirement set at figures significantly above LHN (800 dpa and 1,000 dpa were tested). However, at the current time, in light of the latest available evidence, scenarios involving setting the housing requirement at a figure above LHN can be safely ruled out as unreasonable.

It is not considered that a figure at or above the LHN would be considered unreasonable and that this matter has not been given full consideration (as per the requirements of the SA regulations), particularly in regard to the social impacts of not meeting housing need in full.

Appendix V of the SA sets out commentary in regard to Parish Scenarios. This sets out the following in relation to Southbourne (with emphasis added):

With regards to the extent of the broad location, this matter is considered fairly uncontentious (for the current purposes of arriving at reasonable growth scenarios). Specifically, the proposal is to identify an area of search that includes developable HELAA sites that relate relatively well to the Southbourne settlement edge and avoid the Strategic Wildlife Corridor associated with the Ham Brook, also naturally mindful of the need to maintain a landscape gap to settlements within Chidham and Hambrook Parish, to the east. It is important to note that the total theoretical capacity of developable HELAA sites within this broad area is far in excess of the number of homes that would need delivered under any reasonably foreseeable scenario.

The broad location provides flexibility to identify a detailed allocation either through a Site Allocations Plan or, should the Parish Council wish to do so, a revised Southbourne Parish Neighbourhood Plan. Site selection considerations will likely include: transport and access (including mindful of links to the train station and by car to Portsmouth); accessibility and community infrastructure (mindful of the secondary school, recreation ground and employment area at the western edge of the village); heritage (e.g. there is a historic rural lane to the east, associated with two listed buildings), topography and landscape (including any visual links to the SDNP and/or the AONB) and the potential to secure a strategic scheme that delivers more than just new market homes, and potentially significant 'planning gain' for the local community.

With regards to the number of homes that should be supported, there is logic to further exploring the scale of growth that was previously considered through the now withdrawn Southbourne NP, and it is not clear that there is an argument for considering lower growth. Additionally, there is a clear argument for exploring the possibility of higher growth, to ensure a suitably comprehensive scheme, with a high level of 'planning gain'.

In conclusion, there are two scenarios for Southbourne Parish, namely completions, commitments and windfall plus either: 1) a broad location for 1,050 homes; or

2) a broad location for ~1,500 homes.

As set out, it is not considered that the SA has considered adequate reasonable alternatives to growth at Southbourne which would include allocation of sites elsewhere in the village including within the AONB that can deliver in the early part of the plan period.

#### Conclusions

There are significant concerns on the soundness of the plan in terms of whether it is effective, justified, positively prepared or consistent with national policy in accordance with paragraph 35 of the NPPF.

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

The Council has not adequately considered reasonable alternatives through the Sustainability Appraisal as published alongside the plan which should have included consideration to the allocation of the site in order to deliver housing in the early part of the plan period.

The plan fails to adequately consider the need for housing for older people, given that the population over 65 across CDC is significantly in excess of the average in the county, south east and county as a whole.

CDC discounted all sites within the AONB, including the site at Main Road, Hermitage, at an early stage of the plan making process. This is not considered effective or consistent with national policy which does not class such sites as an absolute constraint. Other local authorities have allocated such sites in order to deliver the full objectively assessed needs.

ABC will continue to make further representations on the deliverability of the site as part of the plan making progress.

#### Change suggested by respondent:

It is considered that a similar approach to that of MSDC involving a review of individual sites according to allocation factors should be undertaken, rather than discounting on sole basis of siting within the AONB.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Regulation 19 - Andrew Black Consulting - obo Obsidian - redacted - <https://chichester.oc2.uk/a/trf>

## Object

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

Note policy NE13, a dedicated policy for addressing the AONB and its setting and suggest that an equivalent policy covering key matters relevant for the South Downs National Park would be appropriate.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Key matters to address in SDNP equivalent policy to NE13 include (but are not limited to): Development on land that contributes to the setting of the South Downs National Park should conserve and enhance the visual and special qualities, dark night skies, tranquillity and landscape character of the National Park and its setting; Development proposals in the setting of the National Park should be sensitively located and designed, should reinforce and respond to rather than detract from the distinctive landscape character and special qualities of the National Park, should be consistent with National Park purposes and must not significantly harm the National Park or its setting; Assessment of such development proposals will also have regard to the South Downs Partnership Management Plan and South Downs Local Plan and other adopted planning documents and strategies.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Support

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

It is encouraging to see such strong recognition and emphasis on the conservation of Chichester Harbour AONB. It does however cause reflection on the apparent conflict with the strategic allocation policies within the Plan, particularly A11 at Highgrove Farm, and potentially both A13 Southbourne Broad Location for Development and A12 Nutbourne and Hambrook (Chidham and Hambrook Parish). We would hope that the Local Planning Authority would recognise this discrepancy in relation particularly to NE13.3.

**Full text:**

It is encouraging to see such strong recognition and emphasis on the conservation of Chichester Harbour AONB. It does however cause reflection on the apparent conflict with the strategic allocation policies within the Plan, particularly A11 at Highgrove Farm, and potentially both A13 Southbourne Broad Location for Development and A12 Nutbourne and Hambrook (Chidham and Hambrook Parish). We would hope that the Local Planning Authority would recognise this discrepancy in relation particularly to NE13.3.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/tr3>

## Object

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

The total area west of Chichester is dominated by the Chichester Harbour AONB, taken as a whole area the harbour represents approximately 35% of the total space to the western side of the district south of the South Downs National Park, which then, subject to any human influence, has had far reaching impacts in the derogation of the harbour in the last 2 decades. CDC's strategy of principally locating houses in the west-east corridor in the plan period 2021-2039 will have a catastrophic impact on the harbour and its biodiversity resulting in negative long term impacts on recreation and tourism.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.
14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

Accountability needs to be clear and the language here is not unequivocal – "may". Alternatives need to be clearly demonstrated and explained using a standard framework in order to remove subjectivity.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

A substantial part of Southbourne Parish lies within the AONB and the Harbour provides a very important and protected resource for wildlife, with access to both local residents and visitors. The Parish Council, for its part, recognises this and intends to do all it can to protect and enhance the Harbour's natural beauty and character.

**Full text:**

A substantial part of Southbourne Parish lies within the AONB and the Harbour provides a very important and protected resource for wildlife, with access to both local residents and visitors. The Parish Council, for its part, recognises this and intends to do all it can to protect and enhance the Harbour's natural beauty and character.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Southbourne Parish Neighbourhood Plan, Submission Modified Plan 2014 – 2029, Policy SB18.png - <https://chichester.oc2.uk/a/s4p>

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Policy NE13 requires rewording to make it more effective and consistent with national policy accordance with paragraph 35 (c and d) of the NPPF.

**Full text:**

Premier has experience of delivering major developments within the AONB, at Chichester Marina and elsewhere in the country. It is acknowledged that development can be harmful to the AONB, however, Premier has a strong track record of delivering quality development schemes in sensitive locations. The policy approach should be consistent and no more onerous than national planning policy in relation to AONBs.

The reference in the wording of Policy NE13 to the policy aims of the 'Chichester Harbour AONB Management Plan' should be amended, given that:

1. This is not a statutory policy document; and
2. This Plan is not consistent with the NPPF.

The supporting text acknowledges the needs of existing communities within the AONB and the development needs of these communities. It should be emphasised that this also includes communities contributing to the economic viability and success of the AONB, including tourism and leisure.

Therefore, we propose the following AONB policy alterations to ensure Policy NE13 is more effective and consistent with national policy accordance with paragraph 35 (c and d) of the NPPF:

"The impact of individual proposals and their cumulative effect on Chichester Harbour AONB and its setting will be carefully assessed. Planning permission will be granted where it can be demonstrated that:

1. The natural beauty and locally distinctive features of the AONB are conserved and enhanced;
2. Proposals reinforce and respond to, rather than detract from, the distinctive character and special qualities of the AONB as defined in National Policy in the Chichester Harbour AONB Management Plan;
3. Either individually or cumulatively, development does not lead to actual or perceived coalescence of settlements or undermine the integrity or predominantly open and undeveloped, rural character of the AONB and its setting, including views into and from the South Downs National Park;
4. The development is appropriate and contributes to the economic, social and environmental well-being of the area and its communities or is desirable for the access, use, understanding and enjoyment of the area;
5. The development is consistent with the policy aims of the Chichester Harbour AONB Management Plan and Joint Chichester Harbour AONB SPD; and
6. New development is set back at least 25m from the mean high water level in line with Policy NE12, with replacement buildings set further back whenever possible.

Proposals for major development will be refused other than in exceptional circumstances, and where it can be demonstrated to be in the public interest, as set out in the National Planning Policy Framework".

As per the above commentary in respect to Policy NE12, Premier suggest the requirement in point 6 for new development to be setback 25 metres (measured from the mean high water level) should be removed as this will stifle development. Minimum setbacks should be considered on a site-by-site basis based in necessary flood / ground conditions analysis.

**Change suggested by respondent:**

We propose the following AONB policy alterations to ensure Policy NE13 is more effective and consistent with national policy accordance with paragraph 35 (c and d) of the NPPF:

"The impact of individual proposals and their cumulative effect on Chichester Harbour AONB and its setting will be carefully assessed. Planning permission will be granted where it can be demonstrated that:

1. The natural beauty and locally distinctive features of the AONB are conserved and enhanced;
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4. The development is appropriate and contributes to the economic, social and environmental well-being of the area and its communities or is desirable for the access, use, understanding and enjoyment of the area;
5. The development is consistent with the policy aims of the Chichester Harbour AONB Management Plan and Joint Chichester Harbour AONB SPD; and.
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Proposals for major development will be refused other than in exceptional circumstances, and where it can be demonstrated to be in the public interest, as set out in the National Planning Policy Framework".

Premier suggest the requirement in point 6 for new development to be setback 25 metres (measured from the mean high water level) should be removed as this will stifle development. Minimum setbacks should be considered on a site-by-site basis based in necessary flood / ground conditions analysis.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxz>

**Support**

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle

**Full text:**

Premier has experience of delivering major developments within the AONB, at Chichester Marina and elsewhere in the country. It is acknowledged that development can be harmful to the AONB, however, Premier has a strong track record of delivering quality development schemes in sensitive locations. The policy approach should be consistent and no more onerous than national planning policy in relation to AONBs.

The reference in the wording of Policy NE13 to the policy aims of the 'Chichester Harbour AONB Management Plan' should be amended, given that:

1. This is not a statutory policy document; and
2. This Plan is not consistent with the NPPF.

The supporting text acknowledges the needs of existing communities within the AONB and the development needs of these communities. It should be emphasised that this also includes communities contributing to the economic viability and success of the AONB, including tourism and leisure.

Therefore, we propose the following AONB policy alterations to ensure Policy NE13 is more effective and consistent with national policy accordance with paragraph 35 (c and d) of the NPPF:

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1. The natural beauty and locally distinctive features of the AONB are conserved and enhanced;
2. Proposals reinforce and respond to, rather than detract from, the distinctive character and special qualities of the AONB as defined in National Policy in the Chichester Harbour AONB Management Plan;
3. Either individually or cumulatively, development does not lead to actual or perceived coalescence of settlements or undermine the integrity or predominantly open and undeveloped, rural character of the AONB and its setting, including views into and from the South Downs National Park;
4. The development is appropriate and contributes to the economic, social and environmental well-being of the area and its communities or is desirable for the access, use, understanding and enjoyment of the area;
5. The development is consistent with the policy aims of the Chichester Harbour AONB Management Plan and Joint Chichester Harbour AONB SPD; and.
6. New development is set back at least 25m from the mean high water level in line with Policy NE12, with replacement buildings set further back whenever possible.

Proposals for major development will be refused other than in exceptional circumstances, and where it can be demonstrated to be in the public interest, as set out in the National Planning Policy Framework".

As per the above commentary in respect to Policy NE12, Premier suggest the requirement in point 6 for new development to be setback 25 metres (measured from the mean high water level) should be removed as this will stifle development. Minimum setbacks should be considered on a site-by-site basis based in necessary flood / ground conditions analysis.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxz>

## Support

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

NE welcome this policy which recognises the significance of the AONB and its setting. NE supports this policy which details a set of robust criteria for development proposals in this location which is in line with the purpose of the AONB's designation and management plan (NPPF paras 176, 177).

**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Support

**Document Element:** Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty

**Respondent:** Fishbourne Meadows Residents' Association (Lou Johns, Chairman) [8194]

**Summary:**

We applaud the words written down on efforts regarded as essential for the conservation of the AONBs and SSSIs of the Harbour. But we have little faith of these foreseen problems being effectively dealt with

**Full text:**

REPRESENTATION TO THE PLANNING POLICY TEAM RE THE LOCAL PLAN MARCH 2023

Our interests in reading the Local Plan 2023 are namely:

The INFRASTRUCTURE NEEDED TO SUSTAIN SUBSTANTIAL DEVELOPMENT

YOU SAY: To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area.

Key infrastructure to support the Local Plan will include improvements to transport, open space and green infrastructure, education, health, water supply and removal, telecommunications, flood risk and coastal change management and the provision of minerals and energy Page 33

CAN YOU ACHIEVE THIS?

ROADS - already suffering with surface damage and from too high density of traffic

YOU SAY: A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.

Page 33 CAN YOU ACHIEVE THIS?

MANAGEMENT OF SEWAGE TREATMENT AND DISPOSAL

YOU SAY: Sewerage undertakers will need to work with regulators to deliver improvements in wastewater infrastructure to support new development and to ensure adverse environmental impacts are avoided on internationally designated habitats. Improvements to water efficiency, conservation and storage capacity will be made.

Page 33 CAN YOU ACHIEVE THIS?

THE IMPACT SUBSTANTIAL DEVELOPMENT WILL HAVE ON OUR UNIQUE AND PRECIOUS ENVIRONMENT. INCREASING LIGHT POLLUTION.

YOU SAY: 12. Protect and enhance the existing biodiversity and important ecological corridor linking Chichester Harbour and the South Downs National Park.

Any development will need to: /

- a. Provide multifunctional green infrastructure both across the site and linking development to the surrounding countryside and Chichester city;
- b. Provide mitigation for any loss of watercourse habitat resulting from culverting for highway provision in the development;
- c. Provide buffer zones to sensitive habitats such as ancient woodland; Page 223

CAN YOU ACHIEVE THIS?

We applaud the words written down on efforts regarded as essential for the conservation of the AONBs and SSSIs of the Harbour. We applaud the efforts to maintain the wonderful view of the Cathedral from various aspects of the City. But we have little faith of these foreseen problems being effectively dealt with.

If the stretch of the A259 from Southbourne (which is classified as a Settlement Hub) to Fishbourne, where we already experience serious impact in congestion and noise, is going to be allocated several thousand new houses by 2030, I cannot imagine how the road will be able to start coping with that increased density of traffic. Another several thousand x 1.5 average vehicles per house will be using this already regularly gridlocked road.

We would implore that you actually managed to achieve what you are setting out with this wordy document but we have little faith, in fact, do not believe, that our environment and the precious habitats and lives of our wonderful local flora and fauna will be enhanced or even upheld in the process and we therefore believe that this Local Plan is unsound.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/spw>

Support

**Document Element:** Background, 4.84

**Respondent:** Mr Joseph O'Sullivan [35]

**Summary:**

We need to work together.

**Full text:**

We need to work together.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Object

**Document Element:** Policy NE14 Integrated Coastal Zone Management for the Manhood Peninsula

**Respondent:** Chichester and District Cycle Forum (Mr Ian Sumnall, Retired) [5361]

**Summary:**

Point 6 in this policy will not achieve the change required to increase the use of sustainable and active travel modes.

See representations for Policy T3 - 4001.

**Full text:**

While there is a lot to support in this policy and we would agree with the following analysis in relation to active and sustainable travel; "Poor road accessibility and problems of traffic congestion result from the limited road connections to the north, the junctions on the A27 Chichester Bypass, and increased traffic during the summer holidays and major events in the district. There are reasonably regular bus services serving Selsey, East Wittering and the other main settlements on the Peninsula, however, these are more limited in terms of evening and weekend services. Direct off-road cycle paths and pedestrian routes are also lacking. These problems of accessibility are further accentuated by the fact that the Peninsula relies strongly on Chichester city for employment, shopping, entertainment and other key facilities, which increases the need to travel." there are no substantive policies to rectify this situation.

**Change suggested by respondent:**

Point 6 should be replaced by a Policy which specifically identifies the routes etc. needed, safeguards them, and requires funding to allocated to them.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Proposed Active Local Plan Policy v11.docx - <https://chichester.oc2.uk/a/str>

## Support

**Document Element:** Policy NE14 Integrated Coastal Zone Management for the Manhood Peninsula

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We support the continued inclusion of this policy and specific references to key Plans.

**Full text:**

We support the continued inclusion of this policy and specific references to key Plans.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy NE14 Integrated Coastal Zone Management for the Manhood Peninsula

**Respondent:** Landlink Estates Ltd [1764]

**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]

**Summary:**

Objection to policy on grounds that 'Resilience and Adaptation – ICZM 2021 and beyond' and ICZM 2011 not included in evidence base; policy should include an allocation of area of coastal change management consistent with the area of coastal retreat; SA assessment dismisses linked pathways and impacts of relocating current settlement areas; should provide vision reflecting accelerating climate change; acknowledge potential sites needed now for relocation of communities in vulnerable areas; address vulnerability of B2145; Selsey site in Preferred Approach could act as phase 1 of managed retreat and relocation of settlement with part of allocation ring fenced for occupation by relocated inhabitants.

**Full text:**

See attachments.

**Change suggested by respondent:**

Revised NE14 proposed - see attached written representation doc for full wording. Proposed revisions include climate change adaptation and mitigation including designating an area of coastal change management and supporting development that is capable of long term defence by recognising managed retreat.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sjr>

1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>

3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>

Email Trail - <https://chichester.oc2.uk/a/sj3>

2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>

4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>

5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>

6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>

6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>

8. Archaeological DBA - <https://chichester.oc2.uk/a/sj9>

12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>

13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>

13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>

13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>

14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>

7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>

11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>

9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>

10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>

Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>

Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>

**Document Element:** Policy NE14 Integrated Coastal Zone Management for the Manhood Peninsula

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England strongly supports the inclusion of this policy to help guide development in this particularly sensitive location.

**Full text:**

**Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy NE14 Integrated Coastal Zone Management for the Manhood Peninsula

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Whilst strongly supporting of the policy, changes to the Plan are proposed.

**Full text:**

**Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

In the second bullet of supporting paragraph 4.84 the incorrect reference to the “Chichester Harbour SAC/SPA/Ramsar sites” should be removed and replaced with the correct site name the “Chichester and Langstone Harbours SPA/Ramsar site”. The Solent Maritime SAC (which partially overlaps with the SPA/Ramsar) is correctly referenced later in the paragraph.

We would recommend that Policy Requirement 4 is expanded as follows: “All development proposals should seek to enhance the distinctive character of the Manhood Peninsula, having particular regard to the ecology (including the potential to contribute to any nature recovery networks), landscape and heritage of the area.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Background, 4.90

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

Paragraph 4.90 should also reference the South East River Basin Management Plan.

**Full text:**

Paragraph 4.90 should also reference the South East River Basin Management Plan.

**Change suggested by respondent:**

Paragraph 4.90 should also reference the South East River Basin Management Plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 4.90  
**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]  
**Summary:**  
 I would mention and explain coastal squeeze here, and cross reference the SSSI Condition Review for Chichester Harbour.  
**Full text:**  
 I would mention and explain coastal squeeze here, and cross reference the SSSI Condition Review for Chichester Harbour.  
**Change suggested by respondent:**  
 I would mention and explain coastal squeeze here, and cross reference the SSSI Condition Review for Chichester Harbour.  
**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

**Document Element:** Background, 4.91  
**Respondent:** Mr John Newsom [7971]  
**Summary:**  
 The plan is not sound because it fails to take into account sufficiently the issues with inadequate drainage and water overflow. The properties of Saxon Meadow rely on soakaway for excess water. The issue extends beyond Saxon Meadow and into Church Lane and the fields where the council proposes to put an allotment. With global warming and increase rainfall this is an area of growing concern. Recent investigations and extensive analysis by the Royal Meteorological Society (RMetS) estimates a 10 fold increase in the chances of extreme rainfall events in the UK by the end of the century which underlines the need for effective adaption planning (Atmospheric Science letter Volume 22, issue 7 July 2021).  
 The plan is not sound as there has been insufficient consideration of the impact of global warming and increased rainfall. The need for increased increment chance [not clear] to high ground water levels was highlighted in 2015 and yet no assessment has been made to rectify this issue. The planned development will exasperate the issue putting the existing houses at Saxon Meadow, Church Land and the fields by Church Lane at increased risk of extensive flooding.  
**Full text:**  
 See representations  
**Change suggested by respondent:**  
 Before any proposed building by Chichester Council is started, it is vital that the assessed risk of flooding, together with the existing high water levels are thoroughly investigated so that 'effective adaption planning' as advocated by the RMetS is effectively implemented.  
**Legally compliant:** Not specified  
**Sound:** No  
**Comply with duty:** Not specified  
**Attachments:** Para-4.91 - <https://chichester.oc2.uk/a/s6t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s63>

## Support

**Document Element:** Background, 4.91  
**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]  
**Summary:**  
 It does seem that given the strength of the constraints identified in this section, it seems clear that such high levels of development on the coastal plain are by default unsustainable. The levels of management, control and monitoring to enable such development seems unachievable, given that the systems in place currently are not fit for purpose.  
**Full text:**  
 It does seem that given the strength of the constraints identified in this section, it seems clear that such high levels of development on the coastal plain are by default unsustainable. The levels of management, control and monitoring to enable such development seems unachievable, given that the systems in place currently are not fit for purpose.  
**Change suggested by respondent:**  
 -  
**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/tr4>

## Object

**Document Element:** Background, 4.92  
**Respondent:** Mr Matthew Rees [7841]

**Summary:**

The plan is not sound because it fails to apply sufficient resources to map and understand the existing challenge affecting surface water run-off for dwellings at Saxon Meadow, Church Lane and the surrounding fields, where I and other residents have local knowledge. It is likely that the same is the case across the plan area. Sticking with the local issues, given that Saxon Meadow dwellings rely on soakaway for dispersal of rainwater and there has been increase in the frequency of heavy rainfall recently, there are significant issues that have not been mapped or evaluated by the authority, and these need to be addressed before any proposal for development is contemplated. The public access portal relating to the outline application is flawed because does not reflect reality. The 2015 Local Plan highlighted the issue of high groundwater levels and the need for investment before new house building.

Even after relatively light rainfall overnight on 11th March 2023, there is an accumulation of ground water in the field to the east of Saxon Meadow (see below), and there have been regular incidents of Church Lane being flooded to a depth of several centimetres making it impossible for pedestrians and a concern to car drivers. The problem will only get worse in future if houses are built because the capacity of the ground to absorb water will be reduced and there will be hard surfaces which will create more run-off.

\*\*To see also photograph provided within attachment\*\*

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

**Appendix 1: list of policies that I support**

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergency"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversity"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"
23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

Amend the plan as follows:

4.92 Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period. In light of the absence of accurate mapping, the council will always require applicants to directly approach local residents and land users to gain a better understanding of surface water issues at the preapplication stage so that issues can be identified and resolved satisfactorily, and the council will ensure that all required investment to safeguard existing residents is provided on a timely basis before new development proceeds and funded by developers and/or relevant infrastructure providers.

**Legally compliant:** Not specified

Sound: No

Comply with duty: Not specified

Attachments: Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

Document Element: Background, 4.92

Respondent: Mrs A Cobby [5712]

### Summary:

Currently there are flooding issues following a period of prolonged rainfall, when the road and kerb outside 2-4 Church Lane hold rain up to 8". As I do not own a 4x4, several times a year I am unable to exit Saxon Meadow by car. Saxon meadow relies on a soakaway for dispersal of rainwater. In future years climate change will lead to increased rainfall. I feel this has not been evaluated by the authority. The future, therefore, could mean Saxon Meadow being effectively 'cut off' by rainwater and possibly suffer flooding to properties. Therefore I consider not legally compliant.

### Full text:

See representations

### Change suggested by respondent:

As per 2015 report Master Plan A14 insist infrastructure upgraded before any dwellings erected. To be funded by Council or developers. Especially relevant for Saxon Meadow as our pumping station would not cope with new houses. Soakaways cannot be relied on.

Legally compliant: No

Sound: Not specified

Comply with duty: Not specified

Attachments: Para-4.92 - <https://chichester.oc2.uk/a/s5f>  
 Para-8.12 - <https://chichester.oc2.uk/a/s5g>

## Support

Document Element: Background, 4.94

Respondent: Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

### Summary:

WGPC supports this statement.

### Full text:

WGPC supports this statement.

### Change suggested by respondent:

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

## Object

**Document Element:** Background, 4.94

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

In spite of the the commitment to produce SuDS the plan also says development will be directed towards areas of lowest flood risk. Sadly this plan has failed to identify existing areas of annual flooding in Church Lane, and the adjacent field. There is also a lack of recognition in the plan to maintain the historic pond adjacent to St Andrew's Church and the mature trees leading up to Saxon Meadow housing. These according to the plan will interfere with the proposed cycle path. There is also no recognition of the Tangmere Conservation status attached to this corridor.

**Full text:**

In spite of the the commitment to produce SuDS the plan also says development will be directed towards areas of lowest flood risk. Sadly this plan has failed to identify existing areas of annual flooding in Church Lane, and the adjacent field. There is also a lack of recognition in the plan to maintain the historic pond adjacent to St Andrew's Church and the mature trees leading up to Saxon Meadow housing. These according to the plan will interfere with the proposed cycle path. There is also no recognition of the Tangmere Conservation status attached to this corridor.

**Change suggested by respondent:**

Reassurances that any final plan takes into account the exiting Tangmere Conservation area planning rules regarding ability to change / destroy mature trees, put in additional hard landscaping and change use of the designated area. In addition, ensure that proper plans are in place for the maintenance of this land which has up to now been undertaken by the Saxon Meadow Tangmere Ltd residents. Acknowledgement that further biodiversity field study is undertaken to establish the extent and location of newts from the flowing streams during the fields. As a resident I have discovered at least one. Prevent the streams in the fields being culverted thus denying wildlife habitat for a variety of species.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** AB1F6602-827F-4117-92CC-479FBB4F0C99.jpeg - <https://chichester.oc2.uk/a/ssh8D450F28-4A7A-4DAC-A750-EE288EE3D80D.jpeg> - <https://chichester.oc2.uk/a/ssx17166B97-7CDB-4833-952E-20175F777A0A.jpeg> - <https://chichester.oc2.uk/a/ssj7E0273E1-BFD8-464F-B99A-A19882D75168.jpeg> - <https://chichester.oc2.uk/a/ssm>

## Support

**Document Element:** Background, 4.95

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement.

**Full text:**

WGPC supports this statement.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 4.96

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

We consider the distances from fluvial waters and tidal waters (8m and 16m) to be insufficient.

**Full text:**

We consider the distances from fluvial waters and tidal waters (8m and 16m) to be insufficient.

**Change suggested by respondent:**

Increase the distances

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



**Document Element:** Background, 4.96

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 4.96

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

Recommending a number of minor amends to correctly reflect legislation and policy.

**Full text:**

The following amendments are recommended for Policy NE15.

- We recommend an amendment and addition to the sentence regarding the 8 metre and 16 metre set back:

"Elsewhere, new development should be set back at least 8 metres from the top of the bank of fluvial watercourses (including culverts), and 16 metres from tidal watercourses to allow for easy access for maintenance and repair. Ideally, a buffer greater than 8 metres from any fluvial watercourse (10 metres plus) without any significant equipment or buildings present in it should be provided to provide additional biodiversity benefits alongside flood risk management."

To reflect the above, paragraph 4.96 should also be amended:

"The policy includes a setback requirement to ensure there is a suitable buffer access strip free from development between watercourses, culverts and sea defences. Such buffers allow for access for maintenance and repairs. Environment Agency consent is required for any works within 16 metres of sea defences and 8 metres of the top of the bank of classified main rivers or a culvert in line with the Environmental Permitting Regulations 2016. "

- Point 4 requires amending as follows to be in line with the national Flood Risk Standing Advice:

"For vulnerable development, finished floor levels should be a minimum of whichever is higher of 300mm above the:

- average ground level of the site
- the adjacent road level to the building
- predicted significant fluvial/tidal flood level (Fluvial 1 in 100 year / Tidal 1 in 200 year plus latest climate change allowances) for the lifetime of the development.

- We recommend an additional requirement to be added to the list for development in flood risk areas as follows to reflect the Planning Practice Guidance for Flood risk and coastal change (as updated in August 2022):

"Development will only be allowed in flood risk affected areas where, in light of this assessment, and the sequential and exception tests as applicable, it is clear that:

...

f. Where applicable, any loss of flood storage from any source of flooding in the fluvial floodplain is being should be compensated for on a level-for-level basis, ideally on-site. Compensation should be hydraulically and hydrologically linked to the floodplain, but not within it. The loss of floodplain storage is less likely to be a concern in areas benefitting from appropriate flood risk management infrastructure or where the source of flood risk is solely tidal."

**Change suggested by respondent:**

Please see our comments on this policy.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 4.96

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

We do have concerns in relation to Policy NE16 (Water Management and Water Quality) and the potential overreliance on necessary improvements to the wastewater treatment works (WwTW) to support residential development

**Full text:**

We do have concerns in relation to Policy NE16 (Water Management and Water Quality) and the potential overreliance on necessary improvements to the wastewater treatment works (WwTW) to support residential development. The emerging plan makes it clear that that upgrades to wastewater infrastructure will be necessary to manage the increased wastewater from housing growth over the plan period. The emerging plan relies on the upcoming Southern Water Drainage and Wastewater Management Plan (DWMP) to provide solutions for conveyance and treatment of wastewater over the next 25 years yet there is no fallback position should these WwTW improvements not be delivered in time. Southbourne currently drains to Thornham wastewater treatment works, which is heavily constrained, with the SoCG between CDC, the Environment Agency and Southern Water stating, "whilst no definite showstoppers to treating wastewater from new homes across the plan period have been established, it is clear that providing significant additional capacity at Thornham WWTW is dependent upon significant infrastructure improvements".

**Change suggested by respondent:**

A contingency should be made as a fallback position should these WwTW improvements not be delivered in time

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy NE15 Flood Risk and Water Management

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE11, NE12, NE13 (where I would like to see more emphasis on resolving the problems of effluent), NE15, NE16 (where you do now tackle the issue of waste water), NE19, and NE20.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sjg>

## Object

**Document Element:** Policy NE15 Flood Risk and Water Management

**Respondent:** Manhope (Mr Carey Mackinnon) [8125]

**Summary:**

Because of the low lying and vulnerable southern part of the district the findings and implications of the CDC Level 1 Interim Strategic Flood Risk Assessment (December 2022) need to be fully understood by parishes, councillors and local residents before comments of any real value can be made. We asked five elected or formally appointed local representatives and not one felt they had a full grasp of the SFRA's implications and only one had a fair understanding.

We do know that the risk of significant flooding has increased. We also know that even before the SFRA was published the West Sussex County Council Lead Local Flood Authority gave a thumbs down to two of the large applications B 21/01830/OUT in Birdham and EWB22/02214/FULEIA.

CDC have recognised that the Manhood Peninsula has specific challenges including flood risk hence the zero requirement for housing in the WMP. In this respect we think the submission is probably just sound enough and hope that this approach filters through to decisions for applications yet to be determined.

However, to be certain of real soundness the work needs to be completed BEFORE implementation.

**Full text:**

Manhope is a local interest group and represents more than 500 residents and users of the Western part of the Manhood Peninsula (WMP); the part of the district at greatest risk from climate, travel and infrastructure challenges.

Our sole purpose is to protect the unique character of the Western Manhood Peninsula by opposing inappropriate and unsustainable large building developments before the necessary infrastructure is actually in place.

We are not sufficiently au fait with the policies to be able to use the clause by clause "speech bubble" approach to comment. Therefore, our response is by way of email as suggested by our MP, Gillian Keegan in her letter to residents in February this year.

We understand that only three topics are open for comment in respect of the proposed Local Plan submission.

1. Is the submission legally compliant?
2. Is the submission 'sound'?
3. Does the submission comply with the Duty to Cooperate?

We are not qualified to comment on either 1. or 2. so these comments will address the question of whether the proposed submission is sound.

Chichester District Council has, quite rightly in our opinion, placed no demands for further large developments in the WMP apart from windfall sites. In

our opinion even these should NOT be approved until the caveats shown in our Conclusion are implemented. The following subjects have been well aired so we will not dwell on them in great detail but will summarise them as follows.

#### Transport.

The transport network serving the CDC area is already unable to cope at peak times and groaning at most other times. The A27 frequently gets headline recognition and from a strategic national point of view rightly so. The various arguments are again well rehearsed elsewhere especially from other local interest groups such as MPAG, SOSCA and the Harbour Trust and we support their submissions in this respect.

It is sufficient for us to say that if it was recognised that mitigating measures were required to cater for the huge increase in developments then it follows that the absence of such mitigation should halt completely such development. That is just pure logic.

Everyone who lives, works, uses or visits the WMP knows that having left behind the A27 they have not left behind the traffic problems. The obverse has become the "new norm" with the most minor hold up, such as refuse lorry, slow moving device or minor road works causing substantial delays and queues sometimes up to eighty vehicles long

The system whereby WSCC highways review the impact of planning applications is dysfunctional.

This is evidenced by WSCC highways department being unable to provide accurate feedback to the LPA as to the ACCUMULATIVE impact of very large developments.

The modelling simply does not allow it and there is no scope for actual local experience or common sense. In not one case of over twenty applications for ten or more houses have they even flagged a cautionary note about this accumulative impact.

For example many - actually most - accidents are not reported so the West Sussex Accident Location Map so this source often used by planners and developers to demonstrate how safe our local roads are, is dangerously misleading. Many life changing injuries have been sustained and known about by local people in the WMP but virtually none of these appear in "formal records"

#### Flooding.

Because of the low lying and vulnerable southern part of the district the findings and implications of the CDC Level 1 Interim Strategic Flood Risk Assessment (December 2022) need to be fully understood by parishes, councillors and local residents before comments of any real value can be made. We asked five elected or formally appointed local representatives and not one felt they had a full grasp of the SFRA's implications and only one had a fair understanding.

We do know that the risk of significant flooding has increased. We also know that even before the SFRA was published the West Sussex County Council Lead Local Flood Authority gave a thumbs down to two of the large applications B 21/01830/OUT in Birdham and EWB22/02214/FULEIA.

CDC have recognised that the Manhood Peninsula has specific challenges including flood risk hence the zero requirement for housing in the WMP. In this respect we think the submission is probably just sound enough and hope that this approach filters through to decisions for applications yet to be determined.

However, to be certain of real soundness the work needs to be completed BEFORE implementation. Please see our notes under "Conclusion" Sewage.

There can be no doubt that this subject must impact whether the submission is sound or not. The arguments are complex and lengthy but two basic simple facts remain.

1. The main sewage plant for the Manhood Peninsula is Southern Waters Siddlesham WWTW. This plant is a couple of metres AOD and yet planners, the EA and developers argue as to whether four or five meters is an appropriate floor level on new developments. Hardly a sound approach when the treatment works will have been inundated well before even a three metre threshold will have been reached. One example of these discussions can be seen at E 22/03125/OUT for 100 houses

2. Southern Water have a policy of deploying large road tankers when heavy rain is forecast to standby local sewage points as there is a high risk of the system being overwhelmed. Frequently the drivers have to stay in their cabs all night.

Yet Southern Water are obliged to advise the LPA that they can deal with the additional load from huge new developments. Neither CDC nor the Inspector can solve the sewerage infrastructure issues but the above facts raise serious doubt as to the soundness of the submission. Please see our further notes under "Conclusion"

#### Conclusion.

Manhope recognise the real imperative of having a local plan in place and is appalled that the system has resulted in a colossal amount of work for the LPA and yet still a disastrous delay in getting this in place let alone full and proper consultation with parishes and local people. Further delay in the submission of the local plan is therefore wholly unacceptable so our uncomfortable is that the submission, whilst barely sound, is as sound as it can be and should go forward BUT with some very clear caveats. Our suggestion for these are shown below.

A. No new developments of ten or more dwellings shall be commenced until suitable mitigating road improvements to the A27 are in place.

B. No new developments of five or more dwellings shall be approved by the LPA until the following reports, work and maps have been completed and due consultation has taken place with residents & parishes, (in line with the latest government approach to restoring local democracy).

a. Environment Agency flood maps based on the Interim SFRA (December 2022) have been completed.

b. Sewage infrastructure work as yet unknown in Southern Waters upcoming Asset Management Period to be in place before any development of 5 or more dwellings are approved.

c. Full and proper engagement with NHS as to practical limits on health demands as a result of new housing developments especially on the Manhood Peninsula. NHS's advice was ignored by CDC and a planning inspector for a 70 house development (WW/20/02491/OUT) so they have not responded to further consultation requests. Vis EWB 22/02235/OUT and EWB 22/02214. This cannot be allowed to happen again.

C. Insert a policy in the submission that CDC planning reserve the right to apply their discretion in planning decisions when consultees provide advice that is contrary to public and parish experience. Ie Where formally submitted local and Parish advise given in their written response to planning applications is not aligned to other consultees then take the Parishes advice. To avoid using this discretion is not consistent with exercising a duty of care.

D. A policy written in the final submission to assemble a consortium of stakeholders to conduct a full survey as to the condition of Pagham Harbour. The scope would cover impacts on marine and land-based environments from chemical, micro plastic and sewage contamination of the harbour and it's immediate coastline. Stakeholders would include Natural England, Environment Agency, CDC, Southern Water and the R.S.P.B. It is highly likely that

Pagham Harbour is traveling a parallel downward path as Chichester Harbour in terms of condition but no stakeholders are paying this anything like the attention it deserves.

#### Change suggested by respondent:

No new developments of five or more dwellings shall be approved by the LPA until the following reports, work and maps have been completed and due consultation has taken place with residents & parishes, (in line with the latest government approach to restoring local democracy).

- a. Environment Agency flood maps based on the Interim SFRA (December 2022) have been completed.
- b. Sewage infrastructure work as yet unknown in Southern Waters upcoming Asset Management Period to be in place before any development of 5 or more dwellings are approved.
- c. Full and proper engagement with NHS as to practical limits on health demands as a result of new housing developments especially on the Manhood Peninsula.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Manhope Response to Local Plan Submission - <https://chichester.oc2.uk/a/shv>

## Object

**Document Element:** Policy NE15 Flood Risk and Water Management

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

#### Summary:

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Requesting reference to SRN/NH made.] We request that reference is made to the SRN or National Highways within the Flood Risk policies.

Development must not lead to any surface water flooding on the SRN carriageway. These points apply to the site operation and construction phases. National Highways should be contacted to discuss these points in detail as part of, or in advance of a planning application submission.

#### Full text:

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queuing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

"Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements

- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings
- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

We request that reference is made to the SRN or National Highways within the Flood Risk policies.

Development must not lead to any surface water flooding on the SRN carriageway. These points apply to the site operation and construction phases. National Highways should be contacted to discuss these points in detail as part of, or in advance of a planning application submission.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

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**Object**

**Document Element:** Policy NE15 Flood Risk and Water Management

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

Re; policy wording: Elsewhere, new development should be set back at least 8m from fluvial watercourses and 16 m from tidal watercourses to allow easy access for maintenance and repair.

SWT would support an increased set back from fluvial water course of 10 meters to support opportunities for biodiversity. Further increases to the setback for tidal water course of 25 meters, would be encouraged to bring it in line with the aspirations of Policy NE 12 Development around the coast.

**Full text:**

See attached representation.

**Change suggested by respondent:**

SWT would support an increased set back from fluvial water course of 10 meters to support opportunities for biodiversity. Further increases to the setback for tidal water course of 25 meters, would be encouraged to bring it in line with the aspirations of Policy NE 12 Development around the coast.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

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**Object**

**Document Element:** Policy NE15 Flood Risk and Water Management

**Respondent:** Mr Paul Bedford [5302]

**Summary:**

The lack of inclusion in a key background supporting document -Strategic Flood Risk Assessment (SFRA) -of the Planning Practice Guidance on Flood Risk and Coastal Change that has important bearing on issues particularly for the southern plan area and specifically mentions the importance of the phasing of development to infrastructure provision is a concern especially when it was published in August 2022. These omission again have an impact on the Plan's overall 'Soundness.

**Full text:**

These comments are confined to the three areas set out in the consultation - Legal, Soundness and Duty to Cooperate and to two documents -the draft Local Plan and the Sustainability Assessment.

**Legal Status**

The Legal status of the Plan is proven but because of the protracted course of the plan's preparation some stages are now dated and raise the question that they should be refreshed. This is the particular case in respect of public participation. There have also been significant changes in legislation that guides the plan's formulation that would have benefited from revised statement of legislative/legal context.

**Soundness**

In the SA it is stated that the key issue for the plan is the A27 and its capacity. This statement is fundamental in that it is realistically outside the scope of the local planning authorities (CDC and West Sussex CC) to have any direct control over. Unless National Highways position is changed from their previous statements on time scales and what might be included in their assessment no consideration of A27 will be made until RIS3 taking any even initial action into the next decade.

So fundamental and influential is the A27 that assessment of Local Housing Need (LHN), a key component of the whole plan, is reduced from 638 units pa to 535. This position must have an impact on the plan's 'Soundness and crucially the phasing of development.

It is worthy of note that three recent housing appeal decisions unfortunately focused primarily on the lack of a 5yr housing supply base on the 638 higher figure. More pressing were issues of sewage system capacity, coastal inundation and fluvial flooding and nutrient neutrality.

The reduction of housing requirements that the Reg19 LP now promotes is very welcomed.

The reduction on the Manhood Peninsula appears to be derived because of recent housing approvals on appeal bringing forward housing that achieves the revised target based on the 535 figure. Two points arise none of these sites are in locations that CDC indicated in documents such as the HELAA and SHELAA as positively sustainable and as all other significant Peninsula housing is dropped do these sites exceed what would have been planned totals.

The SA 'Framework' only addresses 'Water- protection of resources' this is highly appropriate given the problems experienced in the north eastern part of the district in the summer of 2022 and will become more pressing in the south. Resolution of this issue that stopped planning applications seems to be by reducing water usage at least to 110 ltr ppd or lower this is when Southern Water only hope to achieve 125ltr by 2050.

Consideration in the framework should extend to the 'Water Cycle' and particularly address the acute problems of sewage system network capacity, polluting WWTW outfalls, nutrient neutrality. These systems are already currently stressed/ completely overloaded with current levels of use without new development coming on stream and discharges of untreated sewage are a significant and growing problem to Chichester, Langston and Pagham Harbours- this situation must be set against Defra- Storm Overflow Discharge Reduction Plan's statement "Protecting the Environment-water companies shall only be permitted to discharge from a storm overflow where they can demonstrate that there is no local ecological impact". Damage to Chichester/ Langstone Harbours is documented by a daming Natural England report and by that expected for Pagham Harbour all the sites of national significance for biodiversity and protected habitats.

Whilst para 5.2.34 and Box 5.1 of the SA summarise the position no direct statement of intervention is made. Reliance on a 'Statement of Common Ground' that is referred to offers no positive programme of future capital investment by Southern Water (SW) especially when set against SW's overall regional programme its cost and priorities as set out in their draft DWMP- the final version of which is due for release in March this year- does the Plan reflect this documents information that is so crucial to supporting the infrastructure need for the scale of development envisaged is challenging to the plan's 'Soundness'

Time scale of the crucial improvements to infrastructure and particularly sewer and IWWTW capacity is of particular concern. SW's Drainage and Wastewater Management Plan v1 May 2020 set out in very comprehensive way what needs to be achieved and indication of time scale -placing most in AMP8 the next 5 yr business cycle and OFWAT approval would be needed for the scale of expenditure that is many hundred of millions. These time scale constraints should be reflected in the phasing of any housing development that will have to utilise the network. There is no direct indication that such phasing will be actively enforced.

The lack of inclusion in a key background supporting document -Strategic Flood Risk Assessment (SFRA) -of the Planning Practice Guidance on Flood Risk and Coastal Change that has important bearing on issues particularly for the southern plan area and specifically mentions the importance of the phasing of development to infrastructure provision is a concern especially when it was published in August 2022. These omission again have an impact on the Plan's overall 'Soundness.

A significant consideration in the plan that supports the need for more housing supply is the need to address affordability. The district has one of the highest ratio of median earnings to house prices of 14 times and despite substantial house building during the period 2013 -2022 the ratio has increased from 10.55. It is clear that the type of housing that has occurred and continues to be proposed in the district has done little if anything to impact on affordability and address the need for social/lower cost housing. Based on the 2011 census the district experienced 1,505 inward migration (only Brighton and Hove being higher in the West Sussex/ Gt Brighton area) - this trend has been expected to have continued and accelerated as the pandemic increased the popularity of coastal property and raised market cost of property. Just building more houses without policy intervention to prioritise social shared ownership housing will most probably prove to further increase the extent of unaffordability with the resultant consequences on workforce -especially to support the district ageing population- and supporting young people to remain in the area they have grown up in or have come to be educated. This aspect is cause concern over the Plan's 'Soundness'.

Considerable emphasis is placed on the issues of nutrient neutrality, damage to biodiversity and pollution of Chichester Harbour AONB but such emphasis is not extended to Pagham Harbour that has a similar ecological status to Chichester and suffers the same degradation issues. Although Pagham is outside of the nutrient protection zone the factors contributing to nutrient problems are apparent feeding into Pagham. The delayed report on condition for Pagham from Natural England mirroring that for Chichester Hb gives every indication it will indicate the same levels of detriment as those in Chichester Hb. This assumption being supported by condition reports for instance for rife and ditch condition known reports. Added to these factors are known issues relating to untreated discharges from Sidlesham WWTW. The Local Plans's lack of affording Pagham similar consideration to Chichester Hb is an issue that impacts on the Local Plan's overall 'Soundness'.

**Duty to cooperate**

The West Sussex and Greater Brighton Strategic Planning Board (WSGBSPB) provides a context for integrated planning along the coast plain area. It is stated that this board is due to issue a review of its 2016 report next month -does the Plan address any issues that this review may raise? Housing needs are a major feature of the area and the need to transfer unmet housing demand to adjoining authorities is characteristic feature of past policy.. The SA quite categorically states that there would be no realistic potential to meet unmet housing need above the now established LHN figure. Should the WSGBSPB's report signal the need for the district to absorb housing from other areas there may be problems as the Plan does not appear to offer any contingency or process how such pressure might be mitigated.

The highly restricted housing numbers in the South Downs National Park Local Plan and the closeness of its boundary to the 'coastal strip' are contributing factors to the area's carrying and overall capacity to support development. Further constraint is imposed by the Chichester Harbour Area of Outstanding Natural Beauty (AONB) and the geographical physical restrictions of the Manhood Peninsula creating 'coastal squeeze'.



**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Chichester District Local Plan Reg19 Submission - <https://chichester.oc2.uk/a/sx9>**Object****Document Element:** Policy NE15 Flood Risk and Water Management**Respondent:** Mayday! Action Group (John Garrett) [7163]**Summary:**

in principle a sound approach but flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

**Full text:****Executive Summary**

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy NE15 Flood Risk and Water Management

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Consider policy provisions pragmatic and broadly consistent with national government guidance. Fifth paragraph - no objection in principle but prescribed distances (8m and 16m) should be regarded as a guide, that allows for flexibility depending on site circumstances. Welcome clear steer on drainage / build requirements (nos.1-4), support intent for sustainable drainage systems to be designed into landscape of all major development and for use of construction materials with low permeability up to at least same height as finished floor levels. Commend Council for commissioning Level 2 SFRA.

**Full text:**

See attachment.

**Change suggested by respondent:**

The second sentence seems a little misguided. stating: 'Development will be directed to the areas of lowest flood risk applying the sequential test and where relevant the exceptions test'. I would respectfully suggest that the 'where relevant' should come before sequential test too, as it doesn't apply to all forms of development.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy NE15 Flood Risk and Water Management

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Unrealistic to set finished floor levels (FFL's) to an offset from 'average site level'. Setting minimum FFL's to 300mm above an average site level would challenge viability of any larger site or smaller site on a considerable gradient and restrict master planning and placemaking (due to earthworks required to achieve FFL offset from 'average site level') at no benefit to flood risk. Exceedance event flow routes can be protected with no increased flood risk to properties without having lift plot FFL's in lower areas of development sites to such a level. It is recommended wording looks to protect exceedance flow routes ensuring property FFL's are 300mm above exceedance flood level. Additionally, 'vulnerable' development is not clearly defined – is this specific to dwellings in Flood Zones 2 or 3? Should be clarified.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Policy NE15 should be re-worded:

Paragraph 2:

Development should not increase the risk of flooding elsewhere, taking into account the cumulative effects of other development, and should (where possible) seek to achieve a reduction in flood risk for existing communities on and off site

Point 4:

For vulnerable development, finished floor levels should be no lower than:

- 300mm above the adjacent road level to the building
- 300mm above predicted significant fluvial/tidal flood level (Fluvial 1 in 100year / Tidal 1 in 200year plus latest climate change allowances) for the lifetime of the development.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

**Document Element:** Policy NE15 Flood Risk and Water Management

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

The wording 'exceed the normal design standards' in first criterion of policy is somewhat ambiguous, and as a consequence is unlikely to be 'effective' in its application. Requirement in criterion 2 that, 'There is no increase in either the volume or rate of surface water run-off leaving the site' is also unlikely to be justified on all sites, particularly where ground conditions do not permit infiltration.

**Full text:**

See attachment.

**Change suggested by respondent:**

Would suggest first criterion is revised to define 'normal design standards' Council will expect to see as a minimum when determining planning applications, either in words, or by reference to specific guidance outlined in remainder of policy.

Would recommend first sentence of criterion 2 be amended to: 'There is no increase in the rate of surface water run-off leaving the site'.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/smp>

## Object

**Document Element:** Policy NE15 Flood Risk and Water Management

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

**Summary:**

Policy NE15 should be amended to make it clear that the Sequential Test need not be applied to strategic allocations as the test will already have been carried out by the LPA via the SFRA

**Full text:**

See attached

**Change suggested by respondent:**

Policy NE15 should be amended to make it clear that the Sequential Test need not be applied to strategic allocations as the test will already have been carried out by the LPA via the SFRA

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Report Final 170323 Part 1 - <https://chichester.oc2.uk/a/spr>  
Report Final 170323 Part 2 - <https://chichester.oc2.uk/a/sps>

**Document Element:** Policy NE15 Flood Risk and Water Management

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England welcome the recognition of the flood defence challenges in particular we welcome the recognition of developments ability to influence flood risk elsewhere and the cumulative impacts of flood risk. We strongly support the policy requirements relating to SuDs (particularly long-term management arrangements), coastal squeeze and the consideration of natural flood management.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Water Supply and the efficient use of water., 4.98

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

We understand that supply of water across the whole of the south of England is now reaching critical levels As the EA have identified the plan area as being under serious water stress, this should be the very reason not to build 10,350 homes. The long-term impact would be very severe, particularly in prolonged periods of high temperatures and minimal rainfall. Relying on a reduction of water use of 15l per person is not enough to allay serious consequences. A much broader water strategy across the whole of the south of England is urgently required.

**Full text:**

We understand that supply of water across the whole of the south of England is now reaching critical levels As the EA have identified the plan area as being under serious water stress, this should be the very reason not to build 10,350 homes. The long-term impact would be very severe, particularly in prolonged periods of high temperatures and minimal rainfall. Relying on a reduction of water use of 15l per person is not enough to allay serious consequences. A much broader water strategy across the whole of the south of England is urgently required.

**Change suggested by respondent:**

Reduce the housing number to a level where water supply is not at risk

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

**Document Element:** Water Supply and the efficient use of water;, 4.98

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement with qualification

WGPC is unaware of provisions that prevent homeowners subsequently changing installed fittings or any plans for rainwater capture and use within individual homes.

**Full text:**

WGPC supports this statement with qualification

WGPC is unaware of provisions that prevent homeowners subsequently changing installed fittings or any plans for rainwater capture and use within individual homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Water Supply and the efficient use of water;, 4.100

**Respondent:** Southern Water (Ms C Mayall) [1306]

**Summary:**

Corrections to this paragraph are requested in order to ensure consistency, clarity and accuracy of the paragraph in relation to other references in the Chichester Local Plan to Southern Water's supply in the Sussex North Water Resource Zone, as follows;

**Full text:**

Corrections to this paragraph are requested in order to ensure consistency, clarity and accuracy of the paragraph in relation to other references in the Chichester Local Plan to Southern Water's supply in the Sussex North Water Resource Zone, as follows;

**Change suggested by respondent:**

In the north of the plan area, properties within Southern Water's Sussex North Water Resource Zone (WRZ) are supplied with water from several sources including a groundwater abstraction near Pulborough which is currently subject to environmental investigations to ensure there is no adverse impact on environmentally designated sites in the Arun Valley. This may impact on the available supply and alternative sources may need to be considered by Southern Water. Natural England published a position statement in September 2021 requiring developments within the Sussex North WRZ to be water neutral

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Water Supply and the efficient use of water;, 4.100

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The Goodwood Estate has its own borehole water supply but suffers from potential water shortages due to a variable water table affected by climatic change. The Estate has embarked on an estate-wide study to improve water supply and distribution across its land holding and to remain 'water neutral.'

**Full text:**

The Goodwood Estate has its own borehole water supply but suffers from potential water shortages due to a variable water table affected by climatic change. The Estate has embarked on an estate-wide study to improve water supply and distribution across its land holding and to remain 'water neutral.' We look to the plan to facilitate the delivery of such an initiative, and those which may be similarly proposed elsewhere in the district, by providing supportive policies for necessary infrastructure, additional to Policy NE18 Source Protection Zones.

**Change suggested by respondent:**

We look to the plan to facilitate the delivery of such an initiative, and those which may be similarly proposed elsewhere in the district, by providing supportive policies for necessary infrastructure, additional to Policy NE18 Source Protection Zones.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Water Supply and the efficient use of water;, 4.100

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement with qualification

2022's dry summer demonstrated that that water is a finite resource and residents are already experiencing difficulties, with a threat of water rationing (local wells ran dry).

The Water Neutrality Strategy is an untested and unproven methodology, should a plan be built on this?

WGPC has serious concerns that proposed level of development in the WS North Water Resource Zone across the different Local Authority areas will have a significant affect despite the Water Neutrality Strategy.

**Full text:**

WGPC supports this statement with qualification

2022's dry summer demonstrated that that water is a finite resource and residents are already experiencing difficulties, with a threat of water rationing (local wells ran dry).

The Water Neutrality Strategy is an untested and unproven methodology, should a plan be built on this?

WGPC has serious concerns that proposed level of development in the WS North Water Resource Zone across the different Local Authority areas will have a significant affect despite the Water Neutrality Strategy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Water Supply and the efficient use of water;, 4.100

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement with qualification.

2022's dry summer demonstrated that that water is a finite resource and residents are already experiencing difficulties, with a threat of water rationing (local wells ran dry).

The Water Neutrality Strategy is an untested and unproven methodology, should a plan be built on this?

WGPC has serious concerns that proposed level of development in the WS North Water Resource Zone across the different Local Authority areas will have a significant affect despite the Water Neutrality Strategy.

**Full text:**

WGPC supports this statement with qualification

2022's dry summer demonstrated that that water is a finite resource and residents are already experiencing difficulties, with a threat of water rationing (local wells ran dry).

The Water Neutrality Strategy is an untested and unproven methodology, should a plan be built on this?

WGPC has serious concerns that proposed level of development in the WS North Water Resource Zone across the different Local Authority areas will have a significant affect despite the Water Neutrality Strategy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Treating wastewater;, 4.101

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement but is concerned that Southern Water is not taking these concerns seriously, and capacity figures are based upon dry weather.

**Full text:**

WGPC supports this statement but is concerned that Southern Water is not taking these concerns seriously, and capacity figures are based upon dry weather.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Treating wastewater;, 4.101

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement but is concerned that Southern Water is not taking these concerns seriously, and capacity figures are based upon dry weather.

**Full text:**

WGPC supports this statement but is concerned that Southern Water is not taking these concerns seriously, and capacity figures are based upon dry weather.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Treating wastewater;, 4.102

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

Last year, Southern Water polluted Chichester Harbour with 1700.37 hours of wastewater overflows. This is 70.85 days or 19.41% of the year. CDC are aware of this and recognises that wastewater infrastructure needs improvement but there is no guaranteed improvement promised in the plan. The plan states that development proposals will only be permitted if the development has no adverse impact on the quality of water bodies. However, if the system is at capacity at the moment which it is clear from the data above it is, then CDC have a duty to residents not to exacerbate the problem.

**Full text:**

Last year, Southern Water polluted Chichester Harbour with 1700.37 hours of wastewater overflows. This is 70.85 days or 19.41% of the year. CDC are aware of this and recognises that wastewater infrastructure needs improvement but there is no guaranteed improvement promised in the plan. The plan states that development proposals will only be permitted if the development has no adverse impact on the quality of water bodies. However, if the system is at capacity at the moment which it is clear from the data above it is, then CDC have a duty to residents not to exacerbate the problem.

**Change suggested by respondent:**

There should be a moratorium on any further house building until Southern Water have a concrete plan in place and have provided clear details of how they plan to deal with the overflows into the harbour.

The plan contradicts itself saying that development will only be permitted if it does not have an adverse impact on the quality of water bodies because the development proposed is guaranteed to adversely impact the harbour and there is no detail in the plan of how sewage overflows are going to be stopped or the damage that has already been done mitigated.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Sewage outflows into Chichester Harbour 2022.docx - <https://chichester.oc2.uk/a/qz>

## Support

**Document Element:** Treating wastewater;, 4.102

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Based on past experience, WGPC has little confidence that the necessary improvements will be implemented.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Based on past experience, WGPC has little confidence that the necessary improvements will be implemented.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Treating wastewater., 4.102

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Based on past experience, WGPC has little confidence that the necessary improvements will be implemented.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Based on past experience, WGPC has little confidence that the necessary improvements will be implemented.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Treating wastewater., 4.103

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

If this DWMP is in preparation how has it informed this Plan?

**Full text:**

If this DWMP is in preparation how has it informed this Plan?

**Change suggested by respondent:**

It needs to made clear how the DWMP can have informed this Plan

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Treating wastewater., 4.103

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

If Southern Water are in the process of preparing a plan, this would imply it has not been written and published yet. If this is the case and it has not been written, how has it been used to inform the local plan?

If the DWMP has been written already, why has the DWMP not been provided for the public?

**Full text:**

If Southern Water are in the process of preparing a plan, this would imply it has not been written and published yet. If this is the case and it has not been written, how has it been used to inform the local plan?

If the DWMP has been written already, why has the DWMP not been provided for the public?

**Change suggested by respondent:**

The wording needs looking at as it implies you have used a document that may not have been written to inform the writing of the local plan. The document, if it exists, needs to be available to the public so that we can see how Southern Water are going to accommodate the extra wastewater developed by the proposed housing in the local plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Treating wastewater., 4.103

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

How can a Plan that has not yet been written inform the Local Plan?

**Full text:**

How can a Plan that has not yet been written inform the Local Plan?

**Change suggested by respondent:**

.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None



## Support

**Document Element:** Treating wastewater;, 4.103

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support with qualification  
Surely the DWMP should have been prepared to inform housing allocations.

**Full text:**

Support with qualification  
Surely the DWMP should have been prepared to inform housing allocations.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

**Document Element:** Treating wastewater;, 4.103

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support with qualification  
Surely the DWMP should have been prepared to inform housing allocations.

**Full text:**

Support with qualification  
Surely the DWMP should have been prepared to inform housing allocations.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

**Document Element:** Treating wastewater;, 4.107

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Southern Water are preparing a Drainage and Wastewater Management Plan which will not be complete until sometime in 2023. There is at present no certainty of a deliverable solution for the Thornham catchment and any solution will take time and substantial investment to deliver. For this reason, there should be additional restrictions in this catchment as there are for Apuldram. This should be stated here.

**Full text:**

Southern Water are preparing a Drainage and Wastewater Management Plan which will not be complete until sometime in 2023. There is at present no certainty of a deliverable solution for the Thornham catchment and any solution will take time and substantial investment to deliver. For this reason, there should be additional restrictions in this catchment as there are for Apuldram. This should be stated here.

**Change suggested by respondent:**

.Refer to additional restrictions in the Thornham catchment .

**Legally compliant:** Yes  
**Sound:** Yes  
**Comply with duty:** Yes  
**Attachments:** None

## Support

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Mr Edward Bowring [7811]

**Summary:**

Chichester harbour must be protected and extra use of Apuldram WwTW avoided.

**Full text:**

Chichester harbour must be protected and extra use of Apuldram WwTW avoided.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Mrs Donna-Maria Thomas [7822]

**Summary:**

The plan does not appear to be consistent with the National Planning Policy Framework (NPPF) which states:

"20. Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:  
b) wastewater.

The provision for dealing with wastewater is currently detrimental to the harbour. There appears to be no strategic policy or plan for the wastewater management challenges which will undoubtedly be exacerbated by the level of proposed development.

**Full text:**

Southern Water calculates its capacity calculations based on dry water flows of water and not average yearly levels but even with this data which is arguably skewed in favour of development. Southern Water have confirmed there is not capacity for the number of dwellings proposed in policy A11

This issue then brings the proposed development of Policy A11 into direct conflict with other areas of the proposed local plan.

One of the objectives stated in the proposed plan is to:

"Protect and enhance the character of the area including the Chichester Harbour Area of Outstanding Natural Beauty (AONB), the coastline and the setting of the South Downs National Park;"

Allowing any development which will have an adverse impact on Chichester Harbour by exacerbating the sewage outflow levels cannot be deemed to be protecting or enhancing Chichester Harbour.

The harbour is designated as both an AONB and a site of special scientific interest. It is afforded the highest status of protection under the National Planning Policy Framework. The local plan itself suggests that the site at A11 is not suitable.

**Change suggested by respondent:**

There should be a moratorium on any building in the area until there is a strategy for dealing with wastewater.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Mrs Clare Gordon-Pullar [7010]

**Summary:**

Development proposals should include an assessment of the extra sewage that would have to be treated by Southern Water given that it struggles to handle existing levels.

**Full text:**

Development proposals should include an assessment of the extra sewage that would have to be treated by Southern Water given that it struggles to handle existing levels.

**Change suggested by respondent:**

Developments should be refused until Southern Water has upgraded its treatment plants so that it has the capacity to treat additional sewage.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Mrs Donna-Maria Thomas [7822]

**Summary:**

Objection to policy - moratorium needed on house building until wastewater upgrades are guaranteed and carried out.

**Full text:**

I am emailing as a member of the public who has been invited to make comments on the proposed new Chichester District Council Local Plan. Firstly, I have been invited to comment on whether the plan is legally compliant. With this in mind, I would question whether it is. I am aware that there is legislation which is designed to protect Chichester Harbour, namely, I believe, the Chichester Harbour Conservancy Act 1971. This legislation gives the Harbour Conservancy a duty to conserve, maintain and improve the harbour. In the proposed local plan it states:  
"4.120. In February 2018 the Chichester Harbour designated Site of Special Scientific Interest (SSSI) was downgraded from 'Unfavourable – recovering' to 'Unfavourable – no change'. Further assessment during 2019/20 found that more than 3000ha of the intertidal parts of Chichester Harbour were now 'Unfavourable – declining'. A specific policy is therefore required to address this issue. Nitrates finding their way into the Harbour (from a variety of sources) cause algal growth which is harmful to wildlife. Although the proportion of total nitrogen originating from new development is very small, it is important that this source is addressed whilst other measures, such as catchment management, are undertaken to reduce other inputs and recover wildlife."

Concerning nitrate mitigation, I note that the South Downs National Park Authority (SDNPA) are not able to guarantee any further land to offset nitrates and this will impact the number of houses which can be built in the area. The SDNPA has made this clear in the letter they have submitted in consultation regarding Policy A11 (attached). There are, I believe, several proposed sites in the local plan which will need to be able to show they have nutrient neutrality and at present, they cannot do this. With this in mind, I suggest that it would be wrong to propose the site referred to in Policy A11 and any other sites where this matter applies.

In addition to the issue of nitrates, there is also the issue of water pollution which is blighting the harbour. Building over 10,000 new houses in the district is going to exacerbate both nitrate and wastewater pollution. A study by Chichester Clean Harbours Partnership (attached) shows that at five sites which were tested within Chichester Harbour, all failed tests for E.coli and Feral Streptococci levels which suggests

water quality in the harbour is being impacted by the constant outflows of sewage which are happening across the thirteen outlets which Southern Water control and discharge directly into the harbour. Last year's data shows that Southern Water spent over 19% of the year releasing untreated sewage into the Chichester Harbour waters. This is evidence that Southern Water is either unable or unwilling to cope with treating the wastewater generated by the housing in the district so to propose 10,000 further houses with no guaranteed upgrades to the wastewater treatment seems ludicrous and a dereliction of the statutory legislation designed to protect the harbour. For these reasons I would question whether the plan can be judged as legally compliant.

The second area I have been invited to consider is whether the proposed plan is 'sound'. To this, I would suggest that there are so many contradictions between what the plan proposes and what is found in the National Planning Policy Framework (NPPF), other consultation documentation and the plan itself that I believe the plan cannot be found to be sound. As an example two examples referred to above:

Allowing building to go ahead on land without being able to guarantee nitrate offset brings the plan into conflict with itself. (Policies NE12, NE13, NE19)

To allow building to go ahead which is guaranteed to increase sewage outflow into the harbour brings the plan into conflict with itself. (Policies NE12, NE13, NE16, NE17)

The focus of most of the plan seems to be on providing housing. However, the NPPF makes it clear that house building needs to be sustainable and include infrastructure in order to meet the economic objective and that there is an environmental objective to be considered both of which I do not believe this plan is meeting.

The proposed local plan does not include any guaranteed upgrades to the strategic road network but does refer to the fact that the congestion on the roads is a major concern for the residents of the Chichester District. (Proposed Local Plan Point 8.3) I am aware that the strategic road network is an issue outside of the Council's control but again, to propose adding 10,000 plus housing to the area when they are aware of the serious congestion problem seems nonsensical, especially now in the light of the government removing mandatory house building targets.

The main issue the Chichester District seems to have is that within the boundary, there is a large percentage of land which is protected from development as SDNP and AONB land. What this plan seems to be doing is trying to cram 90% of the original government-proposed allocation of housing into 23% of the land in the district. It stands to

reason that this will have a detrimental impact on the road network. In addition, Chichester District Council are aware that the major junctions on the A27 have been operating at capacity since the last local plan was written and in their transport assessment published in January 2023, they have made reference to the major junctions now all operating well over capacity (CDC Local Plan Transport Assessment 2039 Point 11.2.1) and have made reference to the fact that there has been no mitigation which was proposed in the previous local plan to most of the junctions (CDC Local Plan Transport Assessment 2039 Point 1.3.2). Therefore building more housing without guaranteed upgrades to the road network would seem both unfair to the residents and businesses who are already suffering the daily challenge of congestion and unethical in the light of the plan which contains several policies referring to minimising the climate crisis, reducing pollution and only allowing development which does not exacerbate congestion and road use. Once again this brings the plan into conflict with itself because the additional congestion is going to impact both pollution in general and air pollution specifically (Policies NE20, NE22)

The NPPF suggests that there is a presumption in favour of sustainable development but I would argue that trying to fit too many houses into a small, already over-congested area, is not sustainable and does nothing to enhance the lives of people who already live in the area. Of the three objectives in the NPPF (economic, social and environmental) this plan only seems to address the social objective of providing more housing. It does not address the economic objective because of the strain building 10,000 further houses will create on already weak infrastructure. More importantly, it does nothing to address the environmental objective because it will increase pollution and exacerbate problems with the sewage network and the road network which already exist.

In conclusion, with reference to whether the plan is sound, I do not believe it can be judged as sound because, aside from contradicting itself and not fulfilling the objectives outlined in the NPPF as I have highlighted above, the plan is not taking into account local people's wishes. There have been several action groups set up and demonstrations against further building in the area on the large-scale proposed here. Neighbourhood Plans have been completely disregarded and people in the area have genuine concerns about the impact of pollution on the harbour, the relentless building with no additional infrastructure and the detrimental impact of building on farmland and the implications for biodiversity and agricultural security as well as coalescence of our villages and strain on already overburdened resources such as doctors, schools and village shops.

I can speak concerning Policy A11 because this directly affects where I live but I will also try to highlight below other policies where I know the proposed sites conflict with what is in the neighbourhood plan and conflict with statements in the local plan.

Our neighbourhood plan has been ignored and the site proposed was the site deemed least suitable for development and conflicts with the statements in the local plan in the following ways:

- 1) The site is greenfield land and there is brownfield land available capable of being used for smaller-scale development (Burns Shipyard). This would appear to be the case with most of the proposed sites being greenfield land. (Policies A6, A10, A11, A12 A13 and A14). The NPPF states that where possible preference should be given to using brownfield land for development before allowing development on Greenfield or agricultural land.
- 2) The site is wholly outside of the Bosham settlement boundary which in the plan would define this as the countryside. The local plan states in Chapter 3, that development in the countryside should be 'restricted' to what is essential and meets the proposed needs as defined by policy NE10. The site chosen does not meet the criteria set in policy NE10 and proposing the site, therefore, puts it into contradiction with the plan.
- 3) The site proposed for Policy A11 is grade 1 and 2 productive agricultural land. The local plan states that it will seek to protect the best and most versatile agricultural land from large-scale, inappropriate or unsustainable non-agricultural development proposals that are not in accordance with the Development Plan. (Local Plan Point 4.8) However for the sites A1, A12 and A14 this does not seem to be the case. In the case of some of the land proposed from Policy A14, I believe the land has been compulsorily purchased from farmers. A large majority of the land proposed for development in the local plan is viable and productive agricultural land.
- 4) The site's overflow wastewater discharges from the Bosham outlet into the Bosham channel. This outlet has been the most compromised in 2022 and has discharged for the largest amount of hours out of all 13 outlets that discharge into Chichester Harbour.
- 5) The site proposed for Policy A11 has no proposed primary school provision. The local village school is at capacity and is unable to be expanded on its current site because there is no land available. Instead, the children from this proposed development will be expected to go to school outside of the village and this will inevitably lead to more cars on the roads as the proposed schools with places are not accessible by public transport or within walking/cycling distance. Again, this is a theme common to Policy A12.
- 6) The site proposed in Policy A11 suggests that the land is likely to suffer from groundwater and surface runoff flooding. The likelihood of flooding is greatest along the western boundary of the site which abuts the existing development of Brooks Lane. Brooks Lane already suffers periods of flooding. The NPPF says that new development should not increase the likelihood of flooding at existing developments.
- 7) The vehicle access to the A259 is via one vehicle access point only, which is likely to exacerbate air pollution at peak times with cars idling to access the A259.
- 8) The proposed additions to the village will be a fourth community hall, which there is no desire or need for and no end-user has been identified to maintain, allotments which were specifically proposed at the initial consultation and rejected as the least popular choice of an additional community facility and a mini football pitch which has been hastily added and squeezed onto the site of inadequate size and with inadequate parking provision to make it a usable asset.

For all of these reasons, I believe that the proposed local plan cannot be judged to be sound. There were several hundred objections to Policy A11 and I believe there would be true for most of the sites proposed. Our local neighbourhood plans have not been taken into account when producing this plan and this is against what is stated in the NPPF which suggests that Neighbourhood Plans give communities the power to develop a shared vision for their area. (NPPF Point 29)

The last area I have been invited to consider is if the proposed local plan meets the duty to co-operate. In this respect, I feel that the duty to co-operate seems to have been viewed as more a 'duty to consult' Whilst there has arguably been consultation between appropriate bodies and other local authorities, I do not believe the plan reflects the advice that has been given. Again, coming back to Policy A11 as an example the SDNPA, Chichester Harbour Conservancy, Southern Water and National Highways have all raised reservations about the proposed scale of development and the impact it will have on the Bosham area and local infrastructure. However, the reservations have not been heeded and the proposed development is still much the same as it was at the outset. Again, local plans have been ignored and local voices have not been heard. Whilst I am aware that the duty to co-operate is not a duty to agree, if every aspect of a consultation is ignored, I would argue this can hardly equate to co-operation.

In conclusion, I understand the importance of having a local plan and I understand the constraints that Chichester District Council is under due to the available land infrastructure constraints it faces which are largely outside of its control. However, because of the above, and that they have now been given the freedom to deviate from mandatory government house building targets, I would ask you to pay scrutiny to the number of houses in the proposed plan and recommend to Chichester District Council that they need to go back and rewrite the plan to reduce house building to a sustainable level of 23.5% of the government proposed allocation to reflect the percentage of land which is available in the district for development. I also recommend that there be a moratorium on further development in the district until the issues of water pollution by nitrates and sewage can be addressed and until there are the mitigation measures proposed in the transport assessment to allow for further house building.

**Change suggested by respondent:**

A moratorium on house building until wastewater and A27 road infrastructure upgrades are guaranteed and carried out.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/s3f>

Supporting Document - SDNPA Letter - <https://chichester.oc2.uk/a/s3g>

Supporting Document - CHP Newsletter - <https://chichester.oc2.uk/a/s3h>

## Support

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Fishbourne Parish Council (Parish Clerk) [915]

**Summary:**

Support in principle

**Full text:**

Add 'The uncertainty of these constraints, the reduced efficiency of SUDS in such low-lying areas and the current concerns about Chichester Harbour make it unlikely that there would be much further sustainable Development.'

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

Chichester District Council are under a statutory duty to protect Chichester Harbour. The housing proposed in this plan will have an adverse effect on the quality of the water bodies. Southern Water are not able to cope with the level of wastewater generated in the district. For Policy A11 Southern Water have stated they do not have the capacity for the number of houses proposed. The water quality and wastewater part of this policy will not be complied with if these houses are built.

**Full text:**

Chichester District Council are under a statutory duty to protect Chichester Harbour. The housing proposed in this plan will have an adverse effect on the quality of the water bodies. Southern Water are not able to cope with the level of wastewater generated in the district. For Policy A11 Southern Water have stated they do not have the capacity for the number of houses proposed. The water quality and wastewater part of this policy will not be complied with if these houses are built.

**Change suggested by respondent:**

Remove policy A11 from the local plan.

Cut the number of houses allocated in the plan to from the 10,354 proposed to 2,699.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** 21\_00571\_FUL-SOUTHERN\_WATER\_-\_FURTHER\_COMMENTS-5124426.pdf - <https://chichester.oc2.uk/a/qm>

21\_00571\_FUL-SOUTHERN\_WATER\_-\_ADDITIONAL\_COMMENTS\_30.01.23-5125501.pdf - <https://chichester.oc2.uk/a/qn>

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Mr Roger Weymouth [7888]

**Summary:**

Objection - No new sewage infrastructure is guaranteed for the foreseeable future - see full submission and attachment

**Full text:**

I have read the plan, all of it, and the biggest thought that comes into my mind is that there appears to be very little promised...

What appears to be guaranteed/promised

Ten thousand odd dwellings squeezed into approximately 20% of the available land space.

What is not guaranteed/promised

No new roads or traffic congestion mitigation. The roads around Chichester and the surrounding areas are at capacity already and have been for some time, (Transport assessment Jan 2023) with the exception of the Covid lockdown period. My business involves engineers driving to visit customers in and around this area are a considerable amount of the working day is wasted in traffic congestion. At not an inconsiderable cost. For example, one of my engineers lives in Bognor Regis and what was a 35-minute journey to work - in Bosham - now takes 60 minutes. 60 minutes. More frequent flooding and closures of roads exacerbate this and the new Free school sited on Hunston Road, has compounded the misery. Of course, these delays that everyone experiences only compound the pollution issue as well. This can only get worse with the additional promised housing in the area. Working in and around the area will be chaos.

No new sewage infrastructure is guaranteed for the foreseeable future.

Chichester Harbour and the streets of Bosham are regularly filled with sewage that overflows whenever there is rain. According to Southern Waters' own Beach Boy App data, there are regular non-stop discharges of Sewage into Chichester Harbour. There is nothing in the plan to stop this and Southern Water themselves say that they don't have the capacity to deal with the wastewater at present, let alone with another Ten Thousand houses built in the medium term. All the E.Cioli levels in the Harbour are already above acceptable levels as advised by the Environment Agency. Table enclosed - figures supplied by the Clean Harbour Partnership.

Attached is the document that explains this testing

No doctor surgeries

None planned

No new schools for the majority of these new housing developments

So despite the positive language of the Plan, there are no plans to provide any new schools for that area, except for the Tangmere proposed development. So in the absence of such plans, I have to ask where in the area are. I don't know about the availability of school places around the area except for Bosham and Chidham where there are none.

General observations

There don't appear to be many proposed developments for this housing on Brownfield sites. All the major developments in the area appear to be on Grade 1 and 2 agricultural land. Some of which, i.e. Highgrove Farm, which is outside the settlement boundary, appears against National Planning Policy Guidance and local opinion.

So in conclusion, this Plan appears to be solely a cash-generating exercise by Chichester District Council, with income derived from Section 106/CIL levies and forecasted Council Tax receipts, which gives no apparent regard, or only Lip Service, to the quality of life and areas of natural beauty for the existing residents and proposed new residents. It is not a really well thought out plan, not joined up at all with the needs and requirements of the local and separate Utilities and Government agencies such as Transport.

I am not against new housing generally. I'm sure there is a need for future generations and increased population in the County, But this cannot be allowed without all the other facilities that should come along with new housing. This Plan does not plan for that. If there is no funding available to upgrade these facilities, then I can't see how it is sensible to allow more new housing on this scale.

Yours sincerely Roger Weymouth

Dear all (Sent local councillors, responses removed)

I've looked at some possible "road improvements" notably one just outside Tesco which looks like there will be a possibility of multiway lights and a new junction but removing an existing one coming onto the roundabout from the industrial site. Just makes me wonder how much busier this junction will be if they feel the need to re-do the junction. I cannot see how a traffic light system will improve anything and this strikes me as a case of trying to polish a turd. There will just be too much traffic because of ill-thought-out planning and too

many new houses but minus the traffic network improvements required. I also read somewhere that a model or something shows that if there are no improvements to this area, it will result in a 29-minute wait time at the Tesco roundabout for traffic coming from Bosham way at AM and PM peak times. 29 minutes! Are the planners trying to destroy the quality of life around these parts?

I do not hold much hope for real improvements to the road network, if, after any housing gets the go-ahead in this plan. I quote a paragraph from the Chichester District Council Duty to Co-operate Statement (May 2014). Item 3.10 it states " The Highways Agency is confident that the works on the A27 Chichester Bypass required to support development set out in the Local Plan can be delivered.

The Stantec Chichester District Council Local Plan Transport Assessment (Jan 2023) states:

• "The adopted Chichester Local Plan (LP) 2014-2029, included a set of mitigation measures at the 6 principal junctions along the A27 corridor. Although there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

So it seems that all this was promised back then and then shelved and the road network is now pretty much unusable on a daily basis, despite the promises of the Highways Agency. So we have a situation where we all try and bypass the Bypass

I would have thought that any new developments, roadworks etc are meant to be progress, or progressive. Not regressive to the local community and those of us who work in the area.

Perhaps there needs to be a moratorium on all new housing in the district until guaranteed measures are in place to improve the road network. This is not guaranteed in the plan. (Point 8.5)

**Change suggested by respondent:**

A moratorium on house building in the district until there are guarantees for suitable infrastructure upgrades to the A27 junctions and wastewater treatment.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Weymouth attachment CHP Newsletter Jan 2023 final22383 (002).pdf - <https://chichester.oc2.uk/a/ss6>

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Mr simon urry [7840]

**Summary:**

Conflict between proposed 75 dwellings at Wisborough Green and Policy NE16.

**Full text:**

With respect to Wisborough Green Water Quality and Waste Water...

- a) There will be adverse impact from additional sewage spilling into adjacent water bodies and groundwater.
- b) Additional sewage spilling will adversely affect surface and ground water quality.
- d) Significant wastewater infrastructure improvement is required to properly cope with the current load. As per this Policy, additional housing development must align with the infrastructure development.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Fishbourne Parish Council (Parish Clerk) [915]

**Summary:**

Add 'The uncertainty of these constraints, the reduced efficiency of SUDS in such low-lying areas and the current concerns about Chichester Harbour make it unlikely that there would be much further sustainable Development.'

**Full text:**

Add 'The uncertainty of these constraints, the reduced efficiency of SUDS in such low-lying areas and the current concerns about Chichester Harbour make it unlikely that there would be much further sustainable Development.'

**Change suggested by respondent:**

Add 'The uncertainty of these constraints, the reduced efficiency of SUDS in such low-lying areas and the current concerns about Chichester Harbour make it unlikely that there would be much further sustainable Development.'

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Waste water and water quality should be separated into two distinct policies. Both PW and SW have targets of 100l usage a day per person. Why is CDC not following the same? There is no certainty that Thornham can deliver infrastructure improvements to increase capacity in the near future . This is a serious problem which requires a rethink of the number of houses expected to connect. There will be significant consequences if the allocated numbers are approved and connections are not possible.

**Full text:**

Waste water and water quality should be separated into two distinct policies. Both PW and SW have targets of 100l usage a day per person. Why is CDC not following the same? There is no certainty that Thornham can deliver infrastructure improvements to increase capacity in the near future . This is a serious problem which requires a rethink of the number of houses expected to connect. There will be significant consequences if the allocated numbers are approved and connections are not possible.

**Change suggested by respondent:**

Reduce the water usage to 100l per person per day.

The requirements for developers in the catchment of Thornham Waste Water TW should be set out here without having to refer to the Position Statement ( as for Appulram). Why have the two catchments been treated differently.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

"Residential development within the catchment of the Thornham Wastewater Treatment Works, a drainage impact assessment should show that the development complies with the principles set out in the latest Thornham Position Statement"  
There is a line in the TPS which states: "There is at present no certainty of a deliverable solution for the Thornham catchment and any solution will take time to deliver."  
Why is development being proposed in Southbourne when there is no guarantee that appropriate waste water treatment can be provided at the right time?

**Full text:**

"Residential development within the catchment of the Thornham Wastewater Treatment Works, a drainage impact assessment should show that the development complies with the principles set out in the latest Thornham Position Statement"  
There is a line in the TPS which states: "There is at present no certainty of a deliverable solution for the Thornham catchment and any solution will take time to deliver."  
Why is development being proposed in Southbourne when there is no guarantee that appropriate waste water treatment can be provided at the right time?

**Change suggested by respondent:**

"A drainage impact assessment MUST DEMONSTRATE TO THE SATISFACTION OF THE LOCAL PLANNING AUTHORITY that the development complies with the principles set out in the latest Thornham Position Statement".

**Legally compliant:** No

**Sound:** Yes

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

Bosham Parish Council contends that the plan is not sound as regards policy NE16 because adequate SAFE water supplies will not exist and the provision of water supplies will be detrimental to water the quality.  
There is no evidence in the LPlan to show how lower water usage will be encouraged  
There is no evidence of upgrades to waste water infrastructure which the IDP categorises as a critical issue.

The EA has identified areas supplied by PW and SW as at serious water stress. A new reservoir "Havant Thicket" is planned for 2029 in Havant to support future water supply needs. There are serious public concerns about using recycled wastewater as a portable water source for public consumption. This is the first use of such untried technology in the UK.

Para 4.102 states " it is clear that upgrades to wastewater infrastructure will be necessary to manage the increased wastewater from housing growth over the plan period whilst maintaining and improving the water quality of receiving waters". Therefore it is incumbent on CDC to explain such upgrades. This they have not done. Para 4.103 states SW is preparing a DMWP to consider the options... The Southern Water DWMP is no more than a conditional proposal, predicated on obtaining financing from a number of sources. In addition, the timeline of the DWMP does not run parallel with that of the LPlan as its vague proposals for enhancement run until 2050. There is no clear strategy of improvements and any proposed development is reliant upon a concrete DWMP. The current wastewater system at Bosham and other treatment works is at capacity (as illustrated in SWater document Chichester Harbour and growth in Bosham) and Chichester Harbour, into which storm flows drain, is deemed by Natural England to be "declining". The Waste Water Infrastructure requirements for much of the plan's proposed is not based on a clear strategy of deliverable improvements despite the Infrastructure Development Plan categorising potable and wastewater infrastructure improvements as CRITICAL ISSUES  
Thus any additional housing with put an intolerable strain on an already overloaded system.

**Full text:**

Bosham Parish Council contends that the plan is not sound as regards policy NE16 because adequate SAFE water supplies will not exist and the provision of water supplies will be detrimental to water the quality.  
There is no evidence in the LPlan to show how lower water usage will be encouraged  
There is no evidence of upgrades to waste water infrastructure which the IDP categorises as a critical issue.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Water supply and wastewater should be dealt with as two separate policies. There is nothing in this policy to prevent applications being approved when connection to WWT is not possible. There should be NO new development in the Thornham Catchment until such time as upgrades to the system have been completed, proposals for which have not been finalised. To do so risks further storm overflows which have been polluting the Harbour for months and completely unsatisfactory solutions such as tankering of waste material from new developments because Southern Water will have issued a letter confirming connection to their network to the developer even though they know that their wastewater treatment plant did not have this capacity. We have requested both the DLUP who have passed on the request to DEFRA that Southern Water and indeed all water utilities are made statutory consultees on all sizeable planning applications. This is essential and needs to be done urgently. Add this bit to the bit on have you told us about this before?

**Full text:**

Water supply and wastewater should be dealt with as two separate policies. There is nothing in this policy to prevent applications being approved when connection to WWT is not possible. There should be NO new development in the Thornham Catchment until such time as upgrades to the system have been completed, proposals for which have not been finalised. To do so risks further storm overflows which have been polluting the Harbour for months and completely unsatisfactory solutions such as tankering of waste material from new developments because Southern Water will have issued a letter confirming connection to their network to the developer even though they know that their wastewater treatment plant did not have this capacity. We have requested both the DLUP who have passed on the request to DEFRA that Southern Water and indeed all water utilities are made statutory consultees on all sizeable planning applications. This is essential and needs to be done urgently. Add this bit to the bit on have you told us about this before?

**Change suggested by respondent:**

Two separate policies for water supply and wastewater.  
Amend the status of water companies and amend the Water Act.  
A more robust policy.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Donnington Parish Council (Mrs Nicola Swann (Parish Clerk)) [888]

**Summary:**

Apuldrum WwTW is already currently inadequate per CDC's own admission. Southern Gateway Strategic Allocation AL5 drains to Apuldrum WwTW. There are environmental constraints which restrict its capacity to accommodate any further development. Concern about permitting more homes before upgrades to infrastructure are complete. Clear these are necessary for housing growth whilst maintaining and improving water quality of receiving waters. Recent flooding illustrates urgency of upgrades. Southern Water's plans are optimistic and we have concerns this will actually be delivered within 10 years. Across the district the lack of sewage provision is set to worsen until the substantial improvements are delivered.

**Full text:**

Apuldrum WwTW is already currently inadequate per CDC's own admission. Southern Gateway Strategic Allocation AL5 drains to Apuldrum WwTW. There are environmental constraints which restrict its capacity to accommodate any further development. Concern about permitting more homes before upgrades to infrastructure are complete. Clear these are necessary for housing growth whilst maintaining and improving water quality of receiving waters. Recent flooding illustrates urgency of upgrades. Southern Water's plans are optimistic and we have concerns this will actually be delivered within 10 years. Across the district the lack of sewage provision is set to worsen until the substantial improvements are delivered.

**Change suggested by respondent:**

No further development until the necessary infrastructure improvements are delivered.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE11, NE12, NE13 (where I would like to see more emphasis on resolving the problems of effluent), NE15, NE16 (where you do now tackle the issue of waste water), NE19, and NE20.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sjg>



**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Southern Water (Ms C Mayall) [1306]

**Summary:**

We have provided comments in a separate document as our response partly supports, and partly objects to content of this policy.

**Full text:**

Southern Water's comments relate to the headed parts of this policy as follows, and we have suggested changes for the Water Supply and Water Efficiency sections of this policy, whilst we support the Water Quality and Wastewater section. We have uploaded this document to the consultation portal due to the limited space allowed for representations.

**Water Supply**

Southern Water supplies water to the north of Chichester District, to settlements within the Sussex North WRZ. Water resource planning is managed at regional scales by water companies through the production of Water Resources Management Plans (WRMPs) which are updated every 5 years. These plans set out how water companies will achieve secure water supplies for customers, whilst protecting the environment. New development sites allocated through local plans are taken into account as part of this process.

Moreover, it would not be necessary to include developments within the Sussex North WRZ in the requirements of criteria (a) and (b) of Policy NE16, as these will automatically be met where the development has complied with the requirements of Policy NE17.

Suggested amendment;

Development proposals outside the Sussex North Water Resource Zone will be permitted that demonstrate;

a) [...]

**Water Efficiency**

Regarding criterion (b) of this policy's Water Efficiency section, we would request a correction to the reference to our water resource zone, for consistency and accuracy, as follows;

'... development in Southern Water's Water Resource Supply Zone Sussex North.'

**Water Quality and Wastewater**

Southern Water supports this policy, in particular criteria (c) and (d) which relate to surface water and new infrastructure provision.

**Change suggested by respondent:**

Under Water Supply insert additional wording " outside the Sussex North Water Resource Zone" so the text reads: "Development proposals outside the Sussex North Water Resource Zone will be permitted that demonstrate";

Under Water Efficiency correct "Southern Water's Supply Zone North" to " Southern Water's Water Resource Zone Sussex North".

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** 230317 NE16.docx - <https://chichester.oc2.uk/a/s5k>

## Support

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Southern Water (Ms C Mayall) [1306]

**Summary:**

Southern Water supports this policy, in particular criteria (c) and (d) which relate to surface water and new infrastructure provision.

**Full text:**

Southern Water's comments relate to the headed parts of this policy as follows, and we have suggested changes for the Water Supply and Water Efficiency sections of this policy, whilst we support the Water Quality and Wastewater section. We have uploaded this document to the consultation portal due to the limited space allowed for representations.

**Water Supply**

Southern Water supplies water to the north of Chichester District, to settlements within the Sussex North WRZ. Water resource planning is managed at regional scales by water companies through the production of Water Resources Management Plans (WRMPs) which are updated every 5 years. These plans set out how water companies will achieve secure water supplies for customers, whilst protecting the environment. New development sites allocated through local plans are taken into account as part of this process.

Moreover, it would not be necessary to include developments within the Sussex North WRZ in the requirements of criteria (a) and (b) of Policy NE16, as these will automatically be met where the development has complied with the requirements of Policy NE17.

**Suggested amendment;**

Development proposals outside the Sussex North Water Resource Zone will be permitted that demonstrate;

a) [...]

**Water Efficiency**

Regarding criterion (b) of this policy's Water Efficiency section, we would request a correction to the reference to our water resource zone, for consistency and accuracy, as follows;

'... development in Southern Water's Water Resource Supply Zone Sussex North..'

**Water Quality and Wastewater**

Southern Water supports this policy, in particular criteria (c) and (d) which relate to surface water and new infrastructure provision.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** 230317 NE16.docx - <https://chichester.oc2.uk/a/s5k>

## Support

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

This seems a sensible stance. My only comment is the Council seems to be defining what constitutes a major development in the policy wording. Are you sure that's what you want to do?

**Full text:**

This seems a sensible stance. My only comment is the Council seems to be defining what constitutes a major development in the policy wording. Are you sure that's what you want to do?

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Manhope (Mr Carey Mackinnon) [8125]

**Summary:**

There can be no doubt that this subject must impact whether the submission is sound or not. The arguments are complex and lengthy but two basic simple facts remain.

1. The main sewage plant for the Manhood Peninsula is Southern Waters Siddlesham WWTW. This plant is a couple of metres AOD and yet planners, the EA and developers argue as to whether four or five meters is an appropriate floor level on new developments. Hardly a sound approach when the treatment works will have been inundated well before even a three metre threshold will have been reached.

2. Southern Water have a policy of deploying large road tankers when heavy rain is forecast to standby local sewage points as there is a high risk of the system being overwhelmed. Frequently the drivers have to stay in their cabs all night.

Yet Southern Water are obliged to advise the LPA that they can deal with the additional load from huge new developments. Neither CDC nor the Inspector can solve the sewerage infrastructure issues but the above facts raise serious doubt as to the soundness of the submission.

**Full text:**

Manhope is a local interest group and represents more than 500 residents and users of the Western part of the Manhood Peninsula (WMP); the part of the district at greatest risk from climate, travel and infrastructure challenges.

Our sole purpose is to protect the unique character of the Western Manhood Peninsula by opposing inappropriate and unsustainable large building developments before the necessary infrastructure is actually in place.

We are not sufficiently au fait with the policies to be able to use the clause by clause "speech bubble" approach to comment. Therefore, our response is by way of email as suggested by our MP, Gillian Keegan in her letter to residents in February this year.

We understand that only three topics are open for comment in respect of the proposed Local Plan submission.

1. Is the submission legally compliant?
2. Is the submission 'sound'?
3. Does the submission comply with the Duty to Cooperate?

We are not qualified to comment on either 1. or 2. so these comments will address the question of whether the proposed submission is sound.

Chichester District Council has, quite rightly in our opinion, placed no demands for further large developments in the WMP apart from windfall sites. In our opinion even these should NOT be approved until the caveats shown in our Conclusion are implemented. The following subjects have been well aired so we will not dwell on them in great detail but will summarise them as follows.

**Transport.**

The transport network serving the CDC area is already unable to cope at peak times and groaning at most other times. The A27 frequently gets headline recognition and from a strategic national point of view rightly so. The various arguments are again well rehearsed elsewhere especially from other local interest groups such as MPAG, SOSCA and the Harbour Trust and we support their submissions in this respect.

It is sufficient for us to say that if it was recognised that mitigating measures were required to cater for the huge increase in developments then it follows that the absence of such mitigation should halt completely such development. That is just pure logic.

Everyone who lives, works, uses or visits the WMP knows that having left behind the A27 they have not left behind the traffic problems. The obverse has become the "new norm" with the most minor hold up, such as refuse lorry, slow moving device or minor road works causing substantial delays and queues sometimes up to eighty vehicles long

The system whereby WSCC highways review the impact of planning applications is dysfunctional.

This is evidenced by WSCC highways department being unable to provide accurate feedback to the LPA as to the ACCUMULATIVE impact of very large developments.

The modelling simply does not allow it and there is no scope for actual local experience or common sense. In not one case of over twenty applications for ten or more houses have they even flagged a cautionary note about this accumulative impact.

For example many - actually most - accidents are not reported so the West Sussex Accident Location Map so this source often used by planners and developers to demonstrate how safe our local roads are, is dangerously misleading. Many life changing injuries have been sustained and known about by local people in the WMP but virtually none of these appear in "formal records"

**Flooding.**

Because of the low lying and vulnerable southern part of the district the findings and implications of the CDC Level 1 Interim Strategic Flood Risk Assessment (December 2022) need to be fully understood by parishes, councillors and local residents before comments of any real value can be made. We asked five elected or formally appointed local representatives and not one felt they had a full grasp of the SFRA's implications and only one had a fair understanding.

We do know that the risk of significant flooding has increased. We also know that even before the SFRA was published the West Sussex County Council Lead Local Flood Authority gave a thumbs down to two of the large applications B 21/01830/OUT in Birdham and EWB22/02214/FULEIA.

CDC have recognised that the Manhood Peninsula has specific challenges including flood risk hence the zero requirement for housing in the WMP. In this respect we think the submission is probably just sound enough and hope that this approach filters through to decisions for applications yet to be determined.

However, to be certain of real soundness the work needs to be completed BEFORE implementation. Please see our notes under "Conclusion" Sewage.

There can be no doubt that this subject must impact whether the submission is sound or not. The arguments are complex and lengthy but two basic simple facts remain.

1. The main sewage plant for the Manhood Peninsula is Southern Waters Siddlesham WWTW. This plant is a couple of metres AOD and yet planners, the EA and developers argue as to whether four or five meters is an appropriate floor level on new developments. Hardly a sound approach when the treatment works will have been inundated well before even a three metre threshold will have been reached. One example of these discussions can be seen at E 22/03125/OUT for 100 houses

2. Southern Water have a policy of deploying large road tankers when heavy rain is forecast to standby local sewage points as there is a high risk of the system being overwhelmed. Frequently the drivers have to stay in their cabs all night.

Yet Southern Water are obliged to advise the LPA that they can deal with the additional load from huge new developments. Neither CDC nor the Inspector can solve the sewerage infrastructure issues but the above facts raise serious doubt as to the soundness of the submission. Please see our further notes under "Conclusion"

**Conclusion.**

Manhope recognise the real imperative of having a local plan in place and is appalled that the system has resulted in a colossal amount of work for the LPA and yet still a disastrous delay in getting this in place let alone full and proper consultation with parishes and local people. Further delay in the submission of the local plan is therefore wholly unacceptable so our uncomfortable is that the submission, whilst barely sound, is as sound as it can be and should go forward BUT with some very clear caveats. Our suggestion for these are shown below.

A. No new developments of ten or more dwellings shall be commenced until suitable mitigating road improvements to the A27 are in place.

B. No new developments of five or more dwellings shall be approved by the LPA until the following reports, work and maps have been completed and due consultation has taken place with residents & parishes, (in line with the latest government approach to restoring local democracy).

a. Environment Agency flood maps based on the Interim SFRA (December 2022) have been completed.

b. Sewage infrastructure work as yet unknown in Southern Waters upcoming Asset Management Period to be in place before any development of 5 or more dwellings are approved.

c. Full and proper engagement with NHS as to practical limits on health demands as a result of new housing developments especially on the Manhood Peninsula. NHS's advice was ignored by CDC and a planning inspector for a 70 house development (WW/20/02491/OUT) so they have not responded to further consultation requests. Vis EWB 22/02235/OUT and EWB 22/02214. This cannot be allowed to happen again.

C. Insert a policy in the submission that CDC planning reserve the right to apply their discretion in planning decisions when consultees provide advice that is contrary to public and parish experience. Ie Where formally submitted local and Parish advice given in their written response to planning applications is not aligned to other consultees then take the Parishes advice. To avoid using this discretion is not consistent with exercising a duty of care.

D. A policy written in the final submission to assemble a consortium of stakeholders to conduct a full survey as to the condition of Pagham Harbour. The scope would cover impacts on marine and land-based environments from chemical, micro plastic and sewage contamination of the harbour and it's immediate coastline. Stakeholders would include Natural England, Environment Agency, CDC, Southern Water and the R.S.P.B. It is highly likely that Pagham Harbour is traveling a parallel downward path as Chichester Harbour in terms of condition but no stakeholders are paying this anything like the attention it deserves.

#### Change suggested by respondent:

A policy written in the final submission to assemble a consortium of stakeholders to conduct a full survey as to the condition of Pagham Harbour. The scope would cover impacts on marine and land-based environments from chemical, micro plastic and sewage contamination of the harbour and it's immediate coastline. Stakeholders would include Natural England, Environment Agency, CDC, Southern Water and the R.S.P.B. It is highly likely that Pagham Harbour is traveling a parallel downward path as Chichester Harbour in terms of condition but no stakeholders are paying this anything like the attention it deserves.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Manhope Response to Local Plan Submission - <https://chichester.oc2.uk/a/shv>

Support

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Horsham District Council (Norman Kwan, Senior Neighbourhood Planning Officer) [8126]

#### Summary:

We support this policy which is clear in its encouragement of efficient use of water as part of good management framework.

#### Full text:

Thank you for consulting Horsham District Council on the Chichester Proposed Submission Local Plan 2021-2039. We are grateful for the opportunity to be able to comment on your emerging plan. Overall, we consider that the plan has positively sought to balance the provision of future needs with other wider objectives in a manner that contributes to achieving sustainable development. I would also take the opportunity to reaffirm Horsham District Council's (HDC's) commitment to continued dialogue under the Duty to Cooperate and joint working between our two councils. We have a number of comments on the Proposed Submission Chichester Local Plan 2021 to 2039 to make on individual policies which we have set out below:

#### Policy S1 Spatial Development Strategy

We support this policy in principle, but consider it is not justified as stands. We note the spatial distribution in the plan period is split into three areas: East – West Corridor, the Manhood Peninsula, and North Plan area (which is the only part of Chichester district which directly adjoins Horsham district). HDC acknowledges Chichester District Council's position that it is not able to meet its entire identified local housing need of 638 dwellings per annum, given the constraints associated with the required upgrades to the strategic road network in order to facilitate growth, potential environmental constraints and wider infrastructure restrictions. It is understood that National Highways requires a cap on growth due to the limited capacity of the A27. The proposed housing supply target is therefore 575 dwellings per annum.

HDC acknowledges and welcomes that significant effort has been put into identifying development capacity in a way that reflects the principle of positive planning. Nevertheless, the NPPF and PPG set a high bar for 'leaving no stone unturned' in respect of meeting development needs. We support that planned growth is directed to sustainable locations where access to local services and access to transport links are easier to access than remote rural areas. It is acknowledged Chichester City is the most populous settlement in the district as well as being most sustainable. We support that growth and future development should be focussed in the East-West Corridor, and in particular in or close to the City, first and foremost. We also acknowledge wider infrastructure deficiencies will need to be addressed in strategic locations before they can accommodate more growth.

We support your continued dialogue with National Highways to support improvements to the strategic road network and note a Statement of Common Ground (SoCG) will be published and updated as part of a continuous dialogue with National Highways. The SoCG is important as part of the justification for a lower housing supply figure and should transparently demonstrate why the constraints on the A27 will not allow higher growth in the East West corridor, in order to evidence that maximum housing needs have been achieved in the City and East West Corridor. This evidence is needed for HDC to inform its own DtC position with Chichester District Council (CDC).

Chichester District is planning below the standard methodology housing target and has therefore asked HDC if it can accommodate some of Chichester's unmet housing need. HDC has confirmed that we are not in a position to accommodate Chichester's unmet development needs because of our own water neutrality constraint. Furthermore, the primary housing market for Horsham District is the Northern West Sussex HMA, whose development needs are substantially driven by the Gatwick sub-region, and it is this HMA that would be prioritised with respect to meeting unmet development needs.

As a partner in the Sussex North Water Neutrality grouping also impacted by this constraint, CDC jointly owns the relevant evidence, and our two authorities share an ongoing commitment to work on this as our Duty to Cooperate dialogue continues. As ever, the latest position with regards to Water Neutrality and the impact on the delivery of housing and other development needs can be set out in a Statement of Common Ground (SoCG) between our two Councils.

**Policy NE16 Water Management and Water Quality**

We support this policy which is clear in its encouragement of efficient use of water as part of good management framework.

**Policy NE17 Water Neutrality**

Water neutrality is a significant issue affecting both our districts. Horsham District Council supports this policy which is derived from the joint work undertaken by Chichester District Council, Horsham District Council and Crawley Borough Council. We look forward to continued working with CDC on the development of the implementation scheme, in order to deliver the JBA Water Neutrality Assessment study. This will ensure all new development is in conformity with the Habitat Regulations and can demonstrate water neutrality.

**Policy H1 Meeting Housing Needs**

As outlined earlier in this response, we acknowledge that land supply in Chichester is constrained, and that CDC meeting the full housing requirement within its administrative boundary during the plan period up to 2039 would be challenging. Horsham District is not however in a position to accommodate any of Chichester District's unmet housing need because of water neutrality and, looking forward, the need to prioritise meeting unmet needs within our primary housing market: the Northern West Sussex HMA.

**Policy H2 Strategic Locations/Allocations 2021 -2039**

A significant proportion of CDC's housing supply will be delivered through strategic allocations. Loxwood (220 dwellings) is identified as a strategic allocation and will come forward through the local plan process, with some allocations anticipated to be delivered through local neighbourhood plans. Given the challenges that face Neighbourhood Planning groups in the preparation and delivery of Neighbourhood Plans, (which can potentially delay the delivery of these allocations), we support the identification of strategic sites in the Local Plan, programmed for delivery earlier in the plan period.

As the delivery of strategic allocations requires significant infrastructure planning, including cross-boundary issues relating to the road network, education, healthcare and community facilities, Horsham District Council welcomes continued dialogue with the relevant stakeholders, to ensure development at strategic locations such as Loxwood are delivered in a timely manner and adhere to sustainable development principles. We have some specific concerns relating to strategic allocation policy A15: Loxwood which we have set out under that policy.

**Policy H11 Meeting Gypsies, Travellers and Travelling Showpeople's Need.**

We note your position and your requirement to provide a number of pitches and plots for the travelling community during plan period. We support your policy position for intensification of existing pitches. Horsham District can't at this point in time accommodate any of CDC's unmet Gypsy, Traveller and Travelling Show people requirement as we are required to first address our own shortfall, and our evidence demonstrates that this alone will be challenging.

We have a body of evidence to support our position and we will continue to share our evidence with you as our Duty to Cooperate dialogue continues over the coming months. As ever, the latest position regarding Gypsy, Traveller and Travelling Showpeople will be set out in the Duty to Cooperate Statement of Common Ground between our two Councils.

**Policy A15 Loxwood**

We support this policy as it will contribute to meeting Chichester District's unmet housing need, but consider it is not justified as stands and that its effectiveness could be improved. The five villages in the north of the Plan area (Kirdford, Wisborough Green, Loxwood, Ifold and Plaistow) are classified as Service Villages in the emerging Chichester Local Plan. They provide a reasonable range of basic facilities (e.g. primary school, convenience store and post office) to meet the everyday needs of local residents, or are villages that provide fewer of these facilities but that have reasonable access to them in nearby settlements. Loxwood is the strategic site identified to accommodate 220 dwellings over the plan period.

The nearby settlement of Billingshurst, in Horsham District, is considered to be the nearest main settlement to the villages identified above. Given the limited facilities available / or to be provided as part of the Loxwood allocation, it is considered that new residents are likely to be reliant at least some key facilities in Billingshurst, potentially including the GP surgery, the railway station (and rail user car park), The Weald secondary school and sixth form, the library and the retail and community facilities, including the leisure centre. Within Horsham District, there are potential proposals for strategic scale extensions to Billingshurst / new settlements relatively close to Billingshurst. Whilst no decisions have been made with respect to our local plan, housing growth delivered through our own local plan will create potential impacts on existing infrastructure which is already under significant pressure. We therefore require clear evidence that potential cumulative impacts on settlements in HDC have been considered as part of the proposed allocations. We would ask that CDC works collaboratively with HDC and other stakeholders to ensure future pressures on infrastructure in Horsham District is appropriately addressed. Consequently, we seek further clarification in Policy A15: Loxwood to emphasise the importance of collaborative working between stakeholders to mitigate against the potential cumulative impact of development.

I do hope these comments are helpful. I would like to emphasise that they are made in anticipation of further constructive dialogue between our authorities, and with an expectation that matters on which we have flagged concern can be readily addressed, and quite possibly eliminated through our Duty to Cooperate discussions. Should you require any further detail or information in regard to this response please don't hesitate to contact a member of my Strategic Planning team.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC Reg 19 Written Representation (16 March 2023) Redacted - <https://chichester.oc2.uk/a/shc>

## Support

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent but had concerns relating to water supply and wastewater treatment as detailed in its submission for Policy H3. In terms of wastewater, severe problems are already being experienced and additional housing has the potential to exacerbate these issues. WGPC is concerned that Southern Water is not taking these concerns seriously, and capacity figures are based upon dry weather.

**Full text:**

WGPC supports this policy intent but had concerns relating to water supply and wastewater treatment as detailed in its submission for Policy H3. In terms of wastewater, severe problems are already being experienced and additional housing has the potential to exacerbate these issues. WGPC is concerned that Southern Water is not taking these concerns seriously, and capacity figures are based upon dry weather.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent but had concerns relating to water supply and wastewater treatment as detailed in its submission for Policy H3. In terms of wastewater, severe problems are already being experienced and additional housing has the potential to exacerbate these issues. WGPC is concerned that Southern Water is not taking these concerns seriously, and capacity figures are based upon dry weather.

**Full text:**

WGPC supports this policy intent but had concerns relating to water supply and wastewater treatment as detailed in its submission for Policy H3. In terms of wastewater, severe problems are already being experienced and additional housing has the potential to exacerbate these issues. WGPC is concerned that Southern Water is not taking these concerns seriously, and capacity figures are based upon dry weather.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT asks if this policy sufficiently reflects the impacts of water use by commercial interests, including the horticultural industry. Sustainability and water management must be addressed by all sectors of development.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Amend policy under water quality and wastewater to ensure the policy is effective in accordance with NPPG Paragraph: 019 Reference ID: 34-019-20140306

Bullet point

d) development is phased to align with the delivery and operation of new and improved wastewater infrastructure where this is required.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

The current waste water treatment system is inadequate and unable to deal with combined household and surface water discharges at the present time. This is only going to be exacerbated by the proposed level of development, particularly in an area with high groundwater infiltration levels.

**Full text:**

The current waste water treatment system is inadequate and unable to deal with combined household and surface water discharges at the present time. This is only going to be exacerbated by the proposed level of development, particularly in an area with high groundwater infiltration levels.

In 2022, the storm discharges from waste water treatment works into Chichester Harbour totalled:

Chichester (Apuldram) – 87.33 hours (3.64 days)

Bosham – 791.54 hours (32.98 days)

Thornham – 585.02 hours (24.38 days)

In addition, data has also been supplied since 2020 for 5 CSO's that discharge into the Harbour. The most significant of these in 2022 was Priors Leaze, Nutbourne, which discharged for a total of 8.03 days. It should be noted that the harbour also receives storm discharges via Budds Farm in Langstone and the Lavant WWTW.

It is very hard to foresee how Southern Water, given the current regulatory framework, will be in a position to provide the necessary infrastructure to accommodate the development levels proposed. Recent permitted developments in the district rely on removal of waste by tanker, to avoid back-flowing sewage.

Likewise in a region of water scarcity, which will only worsen in the future with climate change, the proposed level of development is utterly unsustainable. The water-recycling proposals at the Havant Thicket reservoir site are deeply unpopular with the local community.

**Change suggested by respondent:**

A reduction in the housing allocation numbers to a much more sustainable level

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/tr5>

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]

**Summary:**

Can you please confirm what evidence Chichester District Council expect to see from a developer to discharge this policy. i.e. how will developers comply with securing a water supply before occupation. It would be beneficial to understand what the Environment Agency's position on this is as well. We are disappointed that only 110l per person is being promoted within this policy rather than 100l per person. It would be beneficial to understand why Chichester District Council are choosing these figures.

**Full text:**

Can you please confirm what evidence Chichester District Council expect to see from a developer to discharge this policy. i.e. how will developers comply with securing a water supply before occupation. It would be beneficial to understand what the Environment Agency's position on this is as well. We are disappointed that only 110l per person is being promoted within this policy rather than 100l per person. It would be beneficial to understand why Chichester District Council are choosing these figures.

**Change suggested by respondent:**

We need to see your answers to the above questions before we can suggest any changes.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None



## Support

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent Support but is unaware of provisions that prevent homeowners subsequently changing installed fittings or any definitive plans for rainwater capture and use within individual homes.

**Full text:**

WGPC supports this policy intent Support but is unaware of provisions that prevent homeowners subsequently changing installed fittings or any definitive plans for rainwater capture and use within individual homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

The Thornham position statement, referenced in Draft Policy NE16 requires new development proposals within the area served by Thornham WwTW to demonstrate that, taking account of both the latest DWF based headroom information and the needs of extant planning permissions yet to be built/completed, sufficient headroom exists to serve the development, or alternatively that no net increase in flows to Thornham WWTW will result from the development. Alarming, it is suggested that capacity will be taken up on a first come first served basis, as opposed to prioritising the strategic allocations.

**Full text:**

The Thornham position statement, referenced in Draft Policy NE16 requires new development proposals within the area served by Thornham WwTW to demonstrate that, taking account of both the latest DWF based headroom information and the needs of extant planning permissions yet to be built/completed, sufficient headroom exists to serve the development, or alternatively that no net increase in flows to Thornham WWTW will result from the development. Alarming, it is suggested that capacity will be taken up on a first come first served basis, as opposed to prioritising the strategic allocations.

**Change suggested by respondent:**

It is suggested that capacity will be taken up on a first come first served basis, as opposed to prioritising the strategic allocations, this should be amended to ensure strategic planned schemes are given priority.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

Draft Policy NE16 requires any development outside of Chichester, Fishbourne and Stockbridge to not drain into Apuldram (Chichester) Wastewater Treatment Works, a position which would hold to ransom any strategic sites within the Apuldram WwTW catchment, until a time at which Southern Water make the necessary capacity improvements.

As there is no certainty of the timescale for a deliverable solution for the Thornham catchment, we recommend that the policy wording acknowledges the need for a fallback scenario should the lack of WwTW upgrades not be forthcoming and to recognise the impact this may have on the District's overall housing trajectory.

**Full text:**

Draft Policy NE16 requires any development outside of Chichester, Fishbourne and Stockbridge to not drain into Apuldram (Chichester) Wastewater Treatment Works, a position which would hold to ransom any strategic sites within the Apuldram WwTW catchment, until a time at which Southern Water make the necessary capacity improvements.

As there is no certainty of the timescale for a deliverable solution for the Thornham catchment, we recommend that the policy wording acknowledges the need for a fallback scenario should the lack of WwTW upgrades not be forthcoming and to recognise the impact this may have on the District's overall housing trajectory.

**Change suggested by respondent:**

There should be an allowance for schemes to demonstrate through their own Ww mitigation strategy and drainage impact assessment that they can operate within the capacity of existing wastewater treatment infrastructure.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are supportive of the policy requirement that new residential proposals must demonstrate that a maximum water consumption of 110 litres per person per day.

We are highlighting current issues around wastewater in the district.

**Full text:**

We can support the policy requirement that new residential proposals must demonstrate that a maximum water consumption of 110 litres per person per day.

The District lies within a serious water stressed area (as classified in 2021). The Government's Written Ministerial Statement dated 1 July 2021 (HCWS140) highlighted the need for water efficient homes and announced the publication during 2022 of a roadmap towards greater water efficiency in new developments, including exploration of revised building regulations. Water efficiency is important not only from a water resource perspective, but also because of the link with water quality and disposal of foul water. There are real benefits in keeping down the capital cost of new water supply and waste water infrastructure, maintaining ecosystems and protecting landscapes. Reducing the amount of water entering waste water treatment works is also a key way of helping to mitigate issues around the capacity of the works and the receiving environment. Water efficiency standards can also help deliver objectives set out in River Basin Management Plans.

We are pleased that our comments at the Regulation 18 consultation regarding wastewater have been incorporated into this policy. The section entitled 'Water Quality and Wastewater' could be slightly improved by adding wording to reflect that development should connect to public mains sewer as a first option to ensure that the situation of lots of small private treatment plants does not crop up. We suggest additional wording to the end of the section to say "Development shall connect to public mains sewer as the first option, and if that is not possible, provide justification for this and why a different option is needed." Connection to mains is preferable as it is more likely that systems will be maintained and improved over time. This also accords with the Planning Practice Guidance for Water supply, wastewater and water quality.

The policy references the Apuldram Position Statement, which we reviewed in July 2022 and concluded that it was still applicable and should continue to restrict development connecting to the Apuldram (Chichester) Wastewater Treatment Works (WwTW) to manage impacts on the Chichester Harbour from the increased use of storm overflow as a result of groundwater infiltration issues. The Thornham Position Statement is also referenced, albeit the issue here is related to infrastructure capacity.

We will raise that Lavant WwTW also has similar groundwater infiltration issues to Apuldram WwTW and as such may not have capacity for further connections in the future. Groundwater infiltration issues are difficult to improve upon and this is a continuing challenge for Southern Water.

Whilst Tangmere WwTW has been upgraded, further upgrades may be necessary in the future to accommodate more development.

We are currently working with the Local Authority and Southern Water to produce a Statement of Common Ground for Wastewater to provide more detail around the wastewater issues in the district. We understand that the Local Authority keep informed about capacity and discuss such matters with appropriate partners.

**Change suggested by respondent:**

Addition at the end of the section entitled 'Water Quality and Wastewater' - "Development shall connect to public mains sewer as the first option, and if that is not possible, provide justification for this and why a different option is needed."

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eureka IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

**Summary:**

Regarding "Water Quality and Wastewater", it may not be possible in all cases to demonstrate no adverse impact on the quality of water bodies, surface water and groundwater. As such, suggest rewording.

**Full text:**

Please refer to submitted representations document.

**Change suggested by respondent:**

Reword to say development proposals will "minimise harm" rather than have "no adverse impact".

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/sbg>

REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/sbh>

**Object**

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Suez (Sita UK) (Emma Smyth, Senior Planning Manager) [11]

**Summary:**

Amend requirement for no adverse impact to " minimise" adverse impacts.

**Full text:**

This representation is made by SUEZ Recycling & Recovery Southern Ltd (SUEZ), who along with SUEZ Recycling & Recovery UK Ltd forms part of the SUEZ group of companies within the UK. This representation is made in response to the Chichester Local Plan 2021-2039 Proposed Submission consultation.

SUEZ Recycling & Recovery Southern Ltd are the landowner of part of the land subject to the draft strategic site allocation 'Land East of Chichester' identified in draft Policy A8.

**Change suggested by respondent:**

Amend requirement for no adverse impact to " minimise" adverse impacts.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Reg 19 SUEZ Response - 17-03-22.pdf - <https://chichester.oc2.uk/a/sdp>

**Object**

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway are concerned that several of the criteria (f-g) require 'compliance' with as yet unpublished position statements. There is no surety that they would be subject to prior consultation. Under 'Residential development within the catchment of the Apuldrum Waste Water Treatment Works', it is unclear how allocations are reconciled with the need to negate any net increase in flows to the treatment works (criteria c). Whilst Bellway has reservations about the limitations of the draft Policy, it is considered that subject to modifications, it is capable of being made effective and found sound.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Object**

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Question legality of position placing responsibility on developers for Southern Water's short comings in ensuring sufficient (and suitable – not at detriment to Arun Valley SAC/SPA) supply of potable water for proposed development.

Challenge legality of Apuldrum and Thornham sections of policy - under Water Industry Act, developer has an absolute right to connect to the existing sewer whether or not this overloads the system - responsibility for all downstream treatment and discharge is that of the WaSC. Re; point d, policy looks to place emphasis and programme on the developer rather than the WaSC (see Water Industry Act 1991 s94) and should therefore be removed.

Suggest Policy is reviewed and re-worded to avoid conflict with Water Industry Act.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Remove point d from policy.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

We strongly support encouragement of lower water efficiency rates for new development, but advise that the policy wording be made stronger.

Greater encouragement should be given for new developments to achieve lower water efficiency ratings. We therefore advise that additional signposting of the Waterwise UK Water Efficiency Strategy to 2030, should be included.

We support the policy wording relating to water quality which states 'no adverse impact on the quality of water bodies and groundwater, nor will it prevent future attainment of favourable conservation status.' However, we encourage you to include reference to Pagham Harbour so relevant designated sites are covered.

**Full text:**

**Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

Strengthen policy wording to emphasise that 110 litres per person per day is the maximum rate.

Signposting of the Waterwise UK Water Efficiency Strategy to 2030 within policy or supporting text to provide greater encouragement of lower water efficiency rates in new development.

Expansion of supporting text to reference Pagham Harbour so all designated sites relevant to the plan which reply on water quality and water support are covered.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Policy unsound due it not being effective and not justified.

Policy relies on Policy 17 regarding Water Neutrality in the Sussex North WRZ. See representations made on HRA.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Alan and Susan Green [7699]

**Summary:**

A representative of Southern Water recently stated at CDC Overview and Scrutiny committee that it would be able to start on improvements in 2025, a date that they would be available was not given. Southern Water is being put in an impossible position when they are unable to manage the current amount of wastewater but have a statutory duty to treat wastewater from a new development. Tankers should only be used for short periods in emergencies, they increase the carbon footprint, pollution and damage local roads. Water is being extracted from the River Ems to cope with increasing demand.

**Full text:**

Sustainability Appraisal Comments on Soundness

More action is needed to preserve and improve the quality of life of residents. Recently there has been increased flooding and release of sewage in the Chidham, Hambrook and Bosham areas. Wildlife is also suffering and pollution increasing through high levels of traffic.

Further work needs to make clear to the government the difficulties found by the Council in coping with large new housing developments. Current infrastructure is inadequate in many areas.

A representative of Southern Water recently stated at CDC Overview and Scrutiny committee that it would be able to start on improvements in 2025, a date that they would be available was not given. Southern Water is being put in an impossible position when they are unable to manage the current amount of wastewater but have a statutory duty to treat wastewater from a new development. Tankers should only be used for short periods in emergencies, they increase the carbon footprint, pollution and damage local roads. Water is being extracted from the River Ems to cope with increasing demand.

Roads are in poor condition and becoming overcrowded, with many more cars parking along narrow roads, so that the roads become one way. Closer inspection and management of roads is needed. Priors Leaze Lane in Hambrook and Southbourne is narrow and winds along the Ham Brook. The section running between Inlands Road and the Grain Store should be converted to a footpath and cycle track so that residents from Hambrook and Southbourne can safely travel on foot/cycle.

Any new development should provide 50% of affordable housing. Other districts have managed to make 100% of some developments affordable. The current affordable price should be agreed and statistics published to show that local people, young and old are buying/renting.

The importance of rare chalk streams has recently been mentioned by the WWF, the South Downs National Committee on Chalk Streams and in the West Sussex Wildlife Trust magazine. Care should be taken to protect the Ham Brook and Hairspring Watercress Farm (mentioned in the Domesday Book).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England supports this policy's clear delineation between standard development and development coming forward within the Sussex North Water Resource Zone and the inclusion of a separate policy NE17 to cover this. We support the requirement for standard development to achieve a maximum water consumption rate of 110 litres per person per day, in line with current Building Regulations standards.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy NE16 Water Management and Water Quality

**Respondent:** Fishbourne Meadows Residents' Association (Lou Johns, Chairman) [8194]

**Summary:**

Question whether improvements in wastewater infrastructure to support new development and ensuring adverse environmental impacts are avoided is achievable.

**Full text:**

REPRESENTATION TO THE PLANNING POLICY TEAM RE THE LOCAL PLAN MARCH 2023

Our interests in reading the Local Plan 2023 are namely:

The INFRASTRUCTURE NEEDED TO SUSTAIN SUBSTANTIAL DEVELOPMENT

YOU SAY: To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area.

Key infrastructure to support the Local Plan will include improvements to transport, open space and green infrastructure, education, health, water supply and removal, telecommunications, flood risk and coastal change management and the provision of minerals and energy Page 33  
CAN YOU ACHIEVE THIS?

ROADS - already suffering with surface damage and from too high density of traffic

YOU SAY: A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.

Page 33 CAN YOU ACHIEVE THIS?

MANAGEMENT OF SEWAGE TREATMENT AND DISPOSAL

YOU SAY: Sewerage undertakers will need to work with regulators to deliver improvements in wastewater infrastructure to support new development and to ensure adverse environmental impacts are avoided on internationally designated habitats. Improvements to water efficiency, conservation and storage capacity will be made.

Page 33 CAN YOU ACHIEVE THIS?

THE IMPACT SUBSTANTIAL DEVELOPMENT WILL HAVE ON OUR UNIQUE AND PRECIOUS ENVIRONMENT. INCREASING LIGHT POLLUTION.

YOU SAY: 12. Protect and enhance the existing biodiversity and important ecological corridor linking Chichester Harbour and the South Downs National Park.

Any development will need to: /

- a. Provide multifunctional green infrastructure both across the site and linking development to the surrounding countryside and Chichester city;
- b. Provide mitigation for any loss of watercourse habitat resulting from culverting for highway provision in the development;
- c. Provide buffer zones to sensitive habitats such as ancient woodland; Page 223

CAN YOU ACHIEVE THIS?

We applaud the words written down on efforts regarded as essential for the conservation of the AONBs and SSSIs of the Harbour. We applaud the efforts to maintain the wonderful view of the Cathedral from various aspects of the City. But we have little faith of these foreseen problems being effectively dealt with.

If the stretch of the A259 from Southbourne (which is classified as a Settlement Hub) to Fishbourne, where we already experience serious impact in congestion and noise, is going to be allocated several thousand new houses by 2030, I cannot imagine how the road will be able to start coping with that increased density of traffic. Another several thousand x 1.5 average vehicles per house will be using this already regularly gridlocked road.

We would implore that you actually managed to achieve what you are setting out with this wordy document but we have little faith, in fact, do not believe, that our environment and the precious habitats and lives of our wonderful local flora and fauna will be enhanced or even upheld in the process and we therefore believe that this Local Plan is unsound.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/spw>

**Document Element:** Background, 4.108

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Suitably sets out that development in the WRZ is supplied from Pulborough abstraction.

Could improve clarity by stating which aquifer is specifically being impacted by the Pulborough abstractions (see proposed changes).

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
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- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

"... by the Pulborough ground water abstraction site, abstracting from the Folkestone beds of the lower greensand/Wealden greensand semiconfined aquifer. As well as..."

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>



## Object

**Document Element:** Background, 4.109

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Suitably sets out requirement to achieve WN for these developments.

Could add wording to clarify that achieving WN is one of the most readily available methods to rule out an adverse effect on integrity (see proposed changes)

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

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We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

i.e.

"...on the sites. The most feasible method to achieve this is to require that development must be water neutral..."

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Support

**Document Element:** Background, 4.110

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

WGPC is unaware of provisions that prevent homeowners subsequently changing installed fittings and water saving devices and questions how this will be monitored.

**Full text:**

Support – with qualification

WGPC is unaware of provisions that prevent homeowners subsequently changing installed fittings and water saving devices and questions how this will be monitored.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Background, 4.110

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

As the final strategy is not out yet we advise that this paragraph should include some discussion as to why achieving 85lppd is critical. i.e. achieving this high level of efficiency will enable the strategy to provide offsetting more effectively thereby reducing costs OR make direct reference to discussion in PART C strategy.

Should add wording to make apparent within this local plan why these tighter measures are required before offsetting should be considered, given that the final plan is not yet published (see proposed changes).

**Full text:**

**Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
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- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

i.e. "...water issue category; Achieving these higher levels of efficiency will enable the strategy to provide necessary offsetting more effectively, thereby reducing offsetting costs and ensuring viability for development within the WRZ. This may ..."

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

Support

**Document Element:** Background, 4.111

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

The Water Neutrality Strategy is an unproven model, to draw conclusions as to its efficacy is questionable, at best. It is likely that there will be significant additional demand for water above existing levels and that offsetting this additional demand against existing supplies will prove harder, if not impossible, against existing supplies.

If the OIS fails to work, a distinct possibility, any new development in the northern area will have a negative affect on existing homeowners.

**Full text:**

Support – with qualification

The Water Neutrality Strategy is an unproven model, to draw conclusions as to its efficacy is questionable, at best. It is likely that there will be significant additional demand for water above existing levels and that offsetting this additional demand against existing supplies will prove harder, if not impossible, against existing supplies.

If the OIS fails to work, a distinct possibility, any new development in the northern area will have a negative affect on existing homeowners.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 4.111

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

The Water Neutrality Strategy is an unproven model, to draw conclusions as to its efficacy is questionable, at best. It is likely that there will be significant additional demand for water above existing levels and that offsetting this additional demand against existing supplies will prove harder, if not impossible, against existing supplies.

If the OIS fails to work, a distinct possibility, any new development in the northern area will have a negative affect on existing homeowners.

**Full text:**

Support – with qualification

The Water Neutrality Strategy is an unproven model, to draw conclusions as to its efficacy is questionable, at best. It is likely that there will be significant additional demand for water above existing levels and that offsetting this additional demand against existing supplies will prove harder, if not impossible, against existing supplies.

If the OIS fails to work, a distinct possibility, any new development in the northern area will have a negative affect on existing homeowners.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 4.112

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

WGPC is concerned that the Local Plan relies upon an HRA and Environmental Assessment undertaken in 2019, at that time the allocations to the northern parishes were much reduced.

When the Planning Inspector asked CDC 'for no stones to be left unturned' in seeking additional housing sites, was he/she made aware of the water neutrality implications in the north-eastern area. The water situation has deteriorated since the 2019 study, not least as a result of development completed and occupied.

**Full text:**

Support – with qualification

WGPC is concerned that the Local Plan relies upon an HRA and Environmental Assessment undertaken in 2019, at that time the allocations to the northern parishes were much reduced.

When the Planning Inspector asked CDC 'for no stones to be left unturned' in seeking additional housing sites, was he/she made aware of the water neutrality implications in the north-eastern area. The water situation has deteriorated since the 2019 study, not least as a result of development completed and occupied.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 4.112

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support – with qualification

WGPC is concerned that the Local Plan relies upon an HRA and Environmental Assessment undertaken in 2019, at that time the allocations to the northern parishes were much reduced.

When the Planning Inspector asked CDC 'for no stones to be left unturned' in seeking additional housing sites, was he/she made aware of the water neutrality implications in the north-eastern area. The water situation has deteriorated since the 2019 study, not least as a result of development completed and occupied.

**Full text:**

Support – with qualification

WGPC is concerned that the Local Plan relies upon an HRA and Environmental Assessment undertaken in 2019, at that time the allocations to the northern parishes were much reduced.

When the Planning Inspector asked CDC 'for no stones to be left unturned' in seeking additional housing sites, was he/she made aware of the water neutrality implications in the north-eastern area. The water situation has deteriorated since the 2019 study, not least as a result of development completed and occupied.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

Support

**Document Element:** Background, 4.113

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement.

**Full text:**

WGPC supports this statement.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

Support

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

.

**Full text:**

.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

Support

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]

**Summary:**

Portsmouth Water support this policy.

**Full text:**

Portsmouth Water support this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT is supportive of policy measures coming forward to address impacts on designated sites from abstraction. This is the first time SWT has seen a policy of this kind come forward in a Local Plan, so we have not had an opportunity to comment through the Regulation 18 process. As such, our comments related to this policy may not be considered strictly within the realms of soundness.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

The policy for water neutrality is noted and the South Downs National Park Authority welcomes the continued joint work with CDC and with the other affected Local Planning Authorities.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Support

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Horsham District Council (Norman Kwan, Senior Neighbourhood Planning Officer) [8126]

**Summary:**

Water neutrality is a significant issue affecting both our districts. Horsham District Council supports this policy which is derived from the joint work undertaken by Chichester District Council, Horsham District Council and Crawley Borough Council. We look forward to continued working with CDC on the development of the implementation scheme, in order to deliver the JBA Water Neutrality Assessment study. This will ensure all new development is in conformity with the Habitat Regulations and can demonstrate water neutrality.

**Full text:**

Thank you for consulting Horsham District Council on the Chichester Proposed Submission Local Plan 2021-2039. We are grateful for the opportunity to be able to comment on your emerging plan. Overall, we consider that the plan has positively sought to balance the provision of future needs with other wider objectives in a manner that contributes to achieving sustainable development. I would also take the opportunity to reaffirm Horsham District Council's (HDC's) commitment to continued dialogue under the Duty to Cooperate and joint working between our two councils. We have a number of comments on the Proposed Submission Chichester Local Plan 2021 to 2039 to make on individual policies which we have set out below:

**Policy S1 Spatial Development Strategy**

We support this policy in principle, but consider it is not justified as stands. We note the spatial distribution in the plan period is split into three areas: East – West Corridor, the Manhood Peninsula, and North Plan area (which is the only part of Chichester district which directly adjoins Horsham district). HDC acknowledges Chichester District Council's position that it is not able to meet its entire identified local housing need of 638 dwellings per annum, given the constraints associated with the required upgrades to the strategic road network in order to facilitate growth, potential environmental constraints and wider infrastructure restrictions. It is understood that National Highways requires a cap on growth due to the limited capacity of the A27. The proposed housing supply target is therefore 575 dwellings per annum.

HDC acknowledges and welcomes that significant effort has been put into identifying development capacity in a way that reflects the principle of positive planning. Nevertheless, the NPPF and PPG set a high bar for 'leaving no stone unturned' in respect of meeting development needs. We support that planned growth is directed to sustainable locations where access to local services and access to transport links are easier to access than remote rural areas. It is acknowledged Chichester City is the most populous settlement in the district as well as being most sustainable. We support that growth and future development should be focussed in the East-West Corridor, and in particular in or close to the City, first and foremost. We also acknowledge wider infrastructure deficiencies will need to be addressed in strategic locations before they can accommodate more growth.

We support your continued dialogue with National Highways to support improvements to the strategic road network and note a Statement of Common Ground (SoCG) will be published and updated as part of a continuous dialogue with National Highways. The SoCG is important as part of the justification for a lower housing supply figure and should transparently demonstrate why the constraints on the A27 will not allow higher growth in the East West corridor, in order to evidence that maximum housing needs have been achieved in the City and East West Corridor. This evidence is needed for HDC to inform its own DtC position with Chichester District Council (CDC).

Chichester District is planning below the standard methodology housing target and has therefore asked HDC if it can accommodate some of Chichester's unmet housing need. HDC has confirmed that we are not in a position to accommodate Chichester's unmet development needs because of our own water neutrality constraint. Furthermore, the primary housing market for Horsham District is the Northern West Sussex HMA, whose development needs are substantially driven by the Gatwick sub-region, and it is this HMA that would be prioritised with respect to meeting unmet

development needs.

As a partner in the Sussex North Water Neutrality grouping also impacted by this constraint, CDC jointly owns the relevant evidence, and our two authorities share an ongoing commitment to work on this as our Duty to Cooperate dialogue continues. As ever, the latest position with regards to Water Neutrality and the impact on the delivery of housing and other development needs can be set out in a Statement of Common Ground (SoCG) between our two Councils.

#### Policy NE16 Water Management and Water Quality

We support this policy which is clear in its encouragement of efficient use of water as part of good management framework.

#### Policy NE17 Water Neutrality

Water neutrality is a significant issue affecting both our districts. Horsham District Council supports this policy which is derived from the joint work undertaken by Chichester District Council, Horsham District Council and Crawley Borough Council. We look forward to continued working with CDC on the development of the implementation scheme, in order to deliver the JBA Water Neutrality Assessment study. This will ensure all new development is in conformity with the Habitat Regulations and can demonstrate water neutrality.

#### Policy H1 Meeting Housing Needs

As outlined earlier in this response, we acknowledge that land supply in Chichester is constrained, and that CDC meeting the full housing requirement within its administrative boundary during the plan period up to 2039 would be challenging. Horsham District is not however in a position to accommodate any of Chichester District's unmet housing need because of water neutrality and, looking forward, the need to prioritise meeting unmet needs within our primary housing market: the Northern West Sussex HMA.

#### Policy H2 Strategic Locations/Allocations 2021 -2039

A significant proportion of CDC's housing supply will be delivered through strategic allocations. Loxwood (220 dwellings) is identified as a strategic allocation and will come forward through the local plan process, with some allocations anticipated to be delivered through local neighbourhood plans. Given the challenges that face Neighbourhood Planning groups in the preparation and delivery of Neighbourhood Plans, (which can potentially delay the delivery of these allocations), we support the identification of strategic sites in the Local Plan, programmed for delivery earlier in the plan period.

As the delivery of strategic allocations requires significant infrastructure planning, including cross-boundary issues relating to the road network, education, healthcare and community facilities, Horsham District Council welcomes continued dialogue with the relevant stakeholders, to ensure development at strategic locations such as Loxwood are delivered in a timely manner and adhere to sustainable development principles. We have some specific concerns relating to strategic allocation policy A15: Loxwood which we have set out under that policy.

#### Policy H11 Meeting Gypsies, Travellers and Travelling Showpeople's Need.

We note your position and your requirement to provide a number of pitches and plots for the travelling community during plan period. We support your policy position for intensification of existing pitches. Horsham District can't at this point in time accommodate any of CDC's unmet Gypsy, Traveller and Travelling Show people requirement as we are required to first address our own shortfall, and our evidence demonstrates that this alone will be challenging.

We have a body of evidence to support our position and we will continue to share our evidence with you as our Duty to Cooperate dialogue continues over the coming months. As ever, the latest position regarding Gypsy, Traveller and Travelling Showpeople will be set out in the Duty to Cooperate Statement of Common Ground between our two Councils.

#### Policy A15 Loxwood

We support this policy as it will contribute to meeting Chichester District's unmet housing need, but consider it is not justified as stands and that its effectiveness could be improved. The five villages in the north of the Plan area (Kirdford, Wisborough Green, Loxwood, Ifold and Plaistow) are classified as Service Villages in the emerging Chichester Local Plan. They provide a reasonable range of basic facilities (e.g. primary school, convenience store and post office) to meet the everyday needs of local residents, or are villages that provide fewer of these facilities but that have reasonable access to them in nearby settlements. Loxwood is the strategic site identified to accommodate 220 dwellings over the plan period.

The nearby settlement of Billingshurst, in Horsham District, is considered to be the nearest main settlement to the villages identified above. Given the limited facilities available / or to be provided as part of the Loxwood allocation, it is considered that new residents are likely to be reliant at least some key facilities in Billingshurst, potentially including the GP surgery, the railway station (and rail user car park), The Weald secondary school and sixth form, the library and the retail and community facilities, including the leisure centre. Within Horsham District, there are potential proposals for strategic scale extensions to Billingshurst / new settlements relatively close to Billingshurst. Whilst no decisions have been made with respect to our local plan, housing growth delivered through our own local plan will create potential impacts on existing infrastructure which is already under significant pressure. We therefore require clear evidence that potential cumulative impacts on settlements in HDC have been considered as part of the proposed allocations. We would ask that CDC works collaboratively with HDC and other stakeholders to ensure future pressures on infrastructure in Horsham District is appropriately addressed. Consequently, we seek further clarification in Policy A15: Loxwood to emphasise the importance of collaborative working between stakeholders to mitigate against the potential cumulative impact of development.

I do hope these comments are helpful. I would like to emphasise that they are made in anticipation of further constructive dialogue between our authorities, and with an expectation that matters on which we have flagged concern can be readily addressed, and quite possibly eliminated through our Duty to Cooperate discussions. Should you require any further detail or information in regard to this response please don't hesitate to contact a member of my Strategic Planning team.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC Reg 19 Written Representation (16 March 2023) Redacted - <https://chichester.oc2.uk/a/shc>

## Object

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

With the offsetting schemes or alternative water supplies, will a guarantee for the lifetime of the development be required as part of the water neutrality statement? We do not feel the policy or the supporting text makes that requirement clear. SWT does recognise that the offsetting scheme is still emerging and that the supporting literature around this topic is considerable.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Suggest revisions to policy.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Recommend Part 1a and 1b should be under heading 'Water Efficient Design'. Part 1a should also confirm whether this includes external water use or not. Point 3 of the policy should outline what is expected from an offsetting scheme.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

## Support

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

The RSPB supports Policy NE17 and the implementation of the Water Neutrality Strategy and the associated mitigation requirements for water neutrality. The RSPB is supportive of the requirements to secure water efficient design in new development, which promotes water use reductions before looking towards the need to mitigate water use through offsetting schemes.

**Full text:**

The RSPB supports Policy NE17 and the implementation of the Water Neutrality Strategy and the associated mitigation requirements for water neutrality. The RSPB is supportive of the requirements to secure water efficient design in new development, which promotes water use reductions before looking towards the need to mitigate water use through offsetting schemes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** RSPB-Response-to-Chichester-Local-Plan-Regs-19-17-03-23 - <https://chichester.oc2.uk/a/tsr>

## Support

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support with qualification

The WNS is an unproven model, to draw conclusions as to its efficacy is questionable, at best. It is likely that there will be significant additional demand for water above existing levels and offsetting this additional demand against existing supplies will prove harder, if not impossible, against existing supplies.

If the OIS fails to work, a distinct possibility, any new development in the northern area will have a negative affect on existing homeowners.

WGPC is unaware of provisions that prevent homeowners subsequently changing installed fittings or any definitive plans for rainwater capture and use within individual homes.

**Full text:**

Support with qualification

The WNS is an unproven model, to draw conclusions as to its efficacy is questionable, at best. It is likely that there will be significant additional demand for water above existing levels and offsetting this additional demand against existing supplies will prove harder, if not impossible, against existing supplies.

If the OIS fails to work, a distinct possibility, any new development in the northern area will have a negative affect on existing homeowners.

WGPC is unaware of provisions that prevent homeowners subsequently changing installed fittings or any definitive plans for rainwater capture and use within individual homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Support with qualification

The WNS is an unproven model, to draw conclusions as to its efficacy is questionable, at best. It is likely that there will be significant additional demand for water above existing levels and offsetting this additional demand against existing supplies will prove harder, if not impossible, against existing supplies.

If the OIS fails to work, a distinct possibility, any new development in the northern area will have a negative affect on existing homeowners.

WGPC is unaware of provisions that prevent homeowners subsequently changing installed fittings or any definitive plans for rainwater capture and use within individual homes.

**Full text:**

Support with qualification

The WNS is an unproven model, to draw conclusions as to its efficacy is questionable, at best. It is likely that there will be significant additional demand for water above existing levels and offsetting this additional demand against existing supplies will prove harder, if not impossible, against existing supplies.

If the OIS fails to work, a distinct possibility, any new development in the northern area will have a negative affect on existing homeowners.

WGPC is unaware of provisions that prevent homeowners subsequently changing installed fittings or any definitive plans for rainwater capture and use within individual homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are supportive of the policy requiring a maximum water consumption standard of 85 litres per person per day for development within the Sussex North Water Resource Zone.

**Full text:**

We are supportive of the policy requiring a maximum water consumption standard of 85 litres per person per day for development within the Sussex North Water Resource Zone. Other Local Authorities within the Sussex North Water Resource Zone are proposing the same given the need for water neutrality to avoid impacts on the Arun Valley Sites. This is a specific need given the difficulties in this area.

For information that may assist further with this policy requirement, water resources are managed locally through the Catchment Abstraction Management Strategies (CAMS). These assess how much water is available in each catchment, how much is allocated to people and how much is needed to sustain the environment. An Abstraction Licensing Strategy is derived for each catchment and is published here: <https://www.gov.uk/government/collections/water-abstraction-licensing-strategies-cams-process>

Greywater recycling is likely to be needed to achieve this target, and the District may wish to talk further with relevant water companies to understand if there is funding available to assist with the delivery of such schemes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Crawley Borough Council (Ms Elizabeth Brigden, Planning Policy Manager) [8060]

**Summary:**

CBC strongly supports the approach taken in the Chichester Local Plan Policy NE17: Water Neutrality. This approach was discussed and agreed jointly across the Sussex North local authorities and has been advised and supported by the technical evidence.

**Full text:**

CBC Response: Policy NE17 – Water Neutrality

Crawley Borough Council (CBC) welcome the opportunity to comment on the Submission Chichester Local Plan 2021 – 2039.

The councils have been working closely together as part of the Sussex North Water Resource Zone authorities (along with Horsham District Council (HDC), West Sussex County Council, South Downs National Park Authority and Mid Sussex District Council) to address concerns raised by Natural England in relation to the additional development associated with the emerging Local Plans on the protected Habitats sites at Arun Valley (the Arun Valley Special Protection Area, Special Area of Conservation and Ramsar site).

CDC, CBC and HDC jointly commissioned consultants to prepare technical evidence to understand the most appropriate way forward and set up an extensive governance structure to manage the involvement of key partners throughout the process. This includes Natural England, Southern Water, Environment Agency, Ofwat, DEFRA and DLUHC in addition to the affected Sussex North local authorities at Chief Executive level. The aim of the joint work is to ensure water neutrality can be achieved, alone and in-combination, across the Sussex North Water Resource Zone with respect to new development, until Southern Water have implemented a strategic water supply solution(s).

CBC strongly supports the approach taken in the Chichester Local Plan Policy NE17: Water Neutrality. This approach was discussed and agreed jointly across the Sussex North local authorities and has been advised and supported by the technical evidence. The policy has been subject to a joint Sustainability Appraisal assessment undertaken iteratively alongside the development of the Local Plans draft policy by the Sussex North local authorities.

CBC's draft Local Plan has been approved at Full Council, held on 22 February, for Publication (Regulation 19) consultation and Submission for Examination. The draft Crawley Local Plan 2024 – 2040 contains Policy SDC4: Water Neutrality which establishes the same policy requirements. The joint policy has been agreed as necessary to ensure consistency of approach across the Sussex North Water Resource Zone with respect to water neutrality.

The Water Neutrality Study evidence has confirmed, in order to achieve water neutrality, maximise development levels and maintain a viable approach, new residential development should be constructed to 85l/p/d and non-domestic buildings should achieve a score of 3 credits within the water (WAT01 Water Consumption) issue category for the BREEAM Standard or equivalent. The remaining water must then be offset by reducing water consumption elsewhere within the affected Sussex North Water Resource Zone. This approach was found to offer Offsetting opportunities which can unlock development quickly and has been costed at a viable level. It is the most likely scenario to ensure the Water Neutrality Strategy and Offsetting Scheme can be secured in a timely manner and ensure that the Local Plans are legally compliant, viable and deliverable.

CBC confirms its commitment to working jointly with Chichester District Council and the other affected authorities to secure a water offsetting scheme to support the Policy approach.

We look forward to continuing to work with you on this matter.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

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**Object**

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Premier support the thrust of this policy and the need to protect water neutrality through water efficient design in accordance with BREEAM or an equivalent standard. That said, the policy should allow flexibility for the type of non-domestic buildings.

**Full text:**

Premier support the thrust of this policy and the need to protect water neutrality through water efficient design in accordance with BREEAM or an equivalent standard. That said, the policy should allow flexibility for the type of non-domestic buildings.

Premier welcome the Council's decision for new developments to bring forward their own offsetting schemes and taking a pragmatic approach to offsetting.

**Change suggested by respondent:**

The policy should allow flexibility for the type of non-domestic buildings.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxk>

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**Support**

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle.

Premier welcome the Council's decision for new developments to bring forward their own offsetting schemes and taking a pragmatic approach to offsetting.

**Full text:**

Premier support the thrust of this policy and the need to protect water neutrality through water efficient design in accordance with BREEAM or an equivalent standard. That said, the policy should allow flexibility for the type of non-domestic buildings.

Premier welcome the Council's decision for new developments to bring forward their own offsetting schemes and taking a pragmatic approach to offsetting.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxk>

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**Object**

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of draft Policy NE17. Given that this draft Policy wouldn't impact upon the deliverability of the Police Field site, no further comments are proffered.

**Full text:**

See attachment.

**Change suggested by respondent:**

For the avoidance of doubt, it is respectfully suggested that the title of the draft Policy be amended to 'Water Neutrality within the Sussex North Water Resource Zone'.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Barratt David Wilson Homes [7523]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

Policy sets out onerous restriction on water use per person per household per day. Potentially achievable, however, it is restrictive and not attractive to future residents. Accordingly, its introduction without flexibility, may limit desirability of future properties. Policy should therefore allow housebuilder flexibility to allow high water usage, set against greater off-site water saving measures. Knock on effect could be an increase in housing values for existing stock not subject to restrictive water use. Also consider there to be a need for a strategic mitigation to be provided alongside the Plan. At present, there is no evidence of this being prepared.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/syq>

## Object

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Policy requirement 4, while useful to include, should include wording to make clear that where alternative water supply is being proposed as a method to avoid AEOI. The statement will also need to demonstrate that deliverability of this water supply is certain for the lifetime of the development.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

We would suggest the following:

4. Where an alternative water supply is to be provided, the statement will need to demonstrate that no water is utilised from sources that supply the Sussex North WRZ. The wider acceptability of and certainty of delivery for alternative water supplies will be considered on a case-by-case basis.

Adding this wording will make apparent to developers seeking alternative supply as an AEOI avoidance measure, what will be required of them by the Habitats Regulations in line with the People Over Wind ruling. This will have the benefit of ensuring this policy requirement does not unintentionally encourage a proliferation of developers seeking inappropriate water supply solutions while also giving your authority more confidence to reject such inappropriate proposals at an early stage, which should save your authority and developers time and resources.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Object to policy on grounds of uncertainty over enforcement of water efficiency; monitoring from LPA's perspective impossible; LPA can't be certain measures imposed will be effective; no provisions made for circumstances in which offsetting scheme not available; offsetting within WRZ will surely exacerbate issue; Water Neutrality Statement requires full understanding of how water will be managed from consent; considerable doubt about how applications can be managed in manner suggested by Plan; See detailed representations provided in attachment.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

## Support

**Document Element:** Policy NE17 Water Neutrality

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Overall we are satisfied that the policy requirements are sufficient to rule out an AEOL on this plan on the Arun valley designated sites resultant from increased abstraction at Pulborough.

Policy requirement 1 is robust and clearly defines general requirements to rule out AEOL.

Requirements 2 and 3 are robust and suitably set out that a strategic offsetting strategy is being developed which should make achieving requirement 1 significantly easier for the allocations of this plan.

Policy requirement 5 is robust and clearly defines the 3 key aspects of a WN statement which are required as a minimum to demonstrate that AEOL on the Arun Valley sites resulting from additional abstraction can be ruled out.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Support

**Document Element:** Policy NE18 Source Protection Zones

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

If there are problems these are more likely agricultural rather than industrial.

**Full text:**

If there are problems these are more likely agricultural rather than industrial.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE18 Source Protection Zones

**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]

**Summary:**

Portsmouth water support this policy.

**Full text:**

Portsmouth water support this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE18 Source Protection Zones

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are supportive of this policy specifying requirements for development proposals within the higher risk groundwater zones (Source Protection Zone 1 and 1c).

**Full text:**

We are supportive of this policy specifying requirements for development proposals within the higher risk groundwater zones (Source Protection Zone 1 and 1c).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE18 Source Protection Zones

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of draft Policy NE18. Given that this draft Policy wouldn't impact upon the deliverability of the Police Field site, no further comments are proffered.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Background, 4.121

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

There are currently no plans in place or guaranteed for nitrate neutrality required Policy A11. SDNPA have stated that they are not going to be in a position to sign further section 106 agreements to offset nitrates at Chilgrove. Without a guaranteed plan to offset nitrates, sites requiring nitrate offsetting should not be included in the plan.

**Full text:**

There are currently no plans in place or guaranteed for nitrate neutrality required Policy A11. SDNPA have stated that they are not going to be in a position to sign further section 106 agreements to offset nitrates at Chilgrove. Without a guaranteed plan to offset nitrates, sites requiring nitrate offsetting should not be included in the plan.

**Change suggested by respondent:**

The site in policy A11 should be removed.

Other sites requiring nitrate offsetting should be removed from the plan if there is no proposed way to offset the nitrates.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Bosham Association SDNPA Nitrates\_Redacted - <https://chichester.oc2.uk/a/t9g>

## Object

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

Use of 'essential' within wording of 4.29 implies demonstration of nutrient neutrality is a mandatory not optional requirement.

**Full text:**

The word used in paragraph 4.29 is 'essential' which does not imply that this condition is an optional requirement but a mandatory one. The development proposed in Policy A11 needs to have a plan in place to offset nitrates but cannot demonstrate it will be nutrient neutral. The lack of provision for offsetting nitrates would bring Policy A11 into conflict with this paragraph of the local plan. The plan cannot be sound if it is in conflict with itself.

**Change suggested by respondent:**

Proposed sites which require nutrient neutrality should be removed from the Plan unless mitigation plan is in place.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

There is no evidence of any currently available offsetting scheme for much of the proposed development The South Downs National Park has confirmed in writing that they do not intend to enter any s106 mitigation agreements for nitrate offsets at Chilgrove Farm on a piecemeal basis. The plan makes no reference to any alternative scheme or approach.

**Full text:**

There is no evidence of any currently available offsetting scheme for much of the proposed development The South Downs National Park has confirmed in writing that they do not intend to enter any s106 mitigation agreements for nitrate offsets at Chilgrove Farm on a piecemeal basis. The plan makes no reference to any alternative scheme or approach.

**Change suggested by respondent:**

There should be an overall district wide strategy for dealing with mitigation, and mitigation measures must be in evidence prior to the adoption of the plan, to ensure the plan is sound.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT supports CDC with the inclusion of this policy. SWT has not had an opportunity to comment through the Regulation 18 process. As such our comments on this policy related to its use and therefore may not be considered strictly within the realms of soundness.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Mitigations are a cop out and difficult to monitor over time. As nitrates from agriculture are a large part of the problem where are the strategies to minimise the use of pesticides and certain kinds of fertilisers?

**Full text:**

Mitigations are a cop out and difficult to monitor over time. As nitrates from agriculture are a large part of the problem where are the strategies to minimise the use of pesticides and certain kinds of fertilisers?

**Change suggested by respondent:**

Include strategies for agriculture use of pesticides.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE11, NE12, NE13 (where I would like to see more emphasis on resolving the problems of effluent), NE15, NE16 (where you do now tackle the issue of waste water), NE19, and NE20.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sjg>

## Object

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

On a practical note, when considering the presentation of this policy against the information provided in the Water Neutrality Policy, the Water Neutrality Policy seems to indicate a degree of direction in terms of what the local authority requires as part of the planning application, for example a water neutrality statement. However, this type of detail is not set out in the Nutrient Neutrality Policy, and we question if it might be useful to those applying this policy to their application to have set out in policy the information required for submission.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

**Object****Document Element:** Policy NE19 Nutrient Neutrality**Respondent:** Premier Marinas Limited [7988]**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]**Summary:**

[DUPLICATION OF 4616]

Recognises practical difficulties in guaranteeing nutrient neutrality.

**Full text:**

Premier agree with the premise of Draft Policy NE6 and recognise the need to address water and nutrient neutrality issues. That said, Premier acknowledge the practical difficulties in guaranteeing nutrient neutral position for the lifetime of the development and suggest the 'appropriate mitigation' has regard for existing residents and the commercial viability of businesses and is proportionate to the scale of development proposed to ensure this doesn't not render development unviable and to avoid overburdening local residents and businesses.

Premier recognise the unique qualities of the Chichester Marina's location and the areas' international and national designated habitats. With this in mind and factoring in Premier's responsibilities as the long-term manager and steward of the Site, Premier is committed to protecting Chichester Marina's sensitive habitats in the interests of protecting local wildlife.

**Change suggested by respondent:**

Proposes 'appropriate mitigation' [as per policy NE6] has regard for existing residents and the commercial viability of businesses, and is proportionate to the scale of development proposed to ensure it doesn't render development unviable or overburden.

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxp>**Object****Document Element:** Policy NE19 Nutrient Neutrality**Respondent:** Mr Paul Bedford [5302]**Summary:**

Considerable emphasis is placed on the issues of nutrient neutrality, damage to biodiversity and pollution of Chichester Harbour AONB but such emphasis is not extended to Pagham Harbour that has a similar ecological status to Chichester and suffers the same degradation issues. Although Pagham is outside of the nutrient protection zone the factors contributing to nutrient problems are apparent feeding into Pagham. The delayed report on condition for Pagham from Natural England mirroring that for Chichester Hb gives every indication it will indicate the same levels of detriment as those in Chichester Hb. This assumption being supported by condition reports for instance for rife and ditch condition known reports. Added to these factors are known issues relating to untreated discharges from Sidlesham WWTW. The Local Plans's lack of affording Pagham similar consideration to Chichester Hb is an issue that impacts on the Local Plan's overall 'Soundness'.



**Full text:**

These comments are confined to the three areas set out in the consultation - Legal, Soundness and Duty to Cooperate and to two documents -the draft Local Plan and the Sustainability Assessment.

**Legal Status**

The Legal status of the Plan is proven but because of the protracted course of the plan's preparation some stages are now dated and raise the question that they should be refreshed. This is the particular case in respect of public participation. There have also been significant changes in legislation that guides the plan's formulation that would have benefited from revised statement of legislative/legal context.

**Soundness**

In the SA it is stated that the key issue for the plan is the A27 and its capacity. This statement is fundamental in that it is realistically outside the scope of the local planning authorities (CDC and West Sussex CC) to have any direct control over. Unless National Highways position is changed from their previous statements on time scales and what might be included in their assessment no consideration of A27 will be made until RIS3 taking any even initial action into the next decade.

So fundamental and influential is the A27 that assessment of Local Housing Need (LHN), a key component of the whole plan, is reduced from 638 units pa to 535. This position must have an impact on the plan's 'Soundness and crucially the phasing of development.

It is worthy of note that three recent housing appeal decisions unfortunately focused primarily on the lack of a 5yr housing supply base on the 638 higher figure. More pressing were issues of sewage system capacity, coastal inundation and fluvial flooding and nutrient neutrality.

The reduction of housing requirements that the Reg19 LP now promotes is very welcomed.

The reduction on the Manhood Peninsula appears to be derived because of recent housing approvals on appeal bringing forward housing that achieves the revised target based on the 535 figure. Two points arise none of these sites are in locations that CDC indicated in documents such as the HELAA and SHELAA as positively sustainable and as all other significant Peninsula housing is dropped do these sites exceed what would have been planned totals.

The SA 'Framework' only addresses 'Water- protection of resources' this is highly appropriate given the problems experienced in the north eastern part of the district in the summer of 2022 and will become more pressing in the south. Resolution of this issue that stopped planning applications seems to be by reducing water usage at least to 110 ltr ppp or lower this is when Southern Water only hope to achieve 125ltr by 2050.

Consideration in the framework should extend to the 'Water Cycle' and particularly address the acute problems of sewage system network capacity, polluting WWTW outfalls, nutrient neutrality. These systems are already currently stressed/ completely overloaded with current levels of use without new development coming on stream and discharges of untreated sewage are a significant and growing problem to Chichester, Langston and Pagham Harbours- this situation must be set against Defra- Storm Overflow Discharge Reduction Plan's statement "Protecting the Environment-water companies shall only be permitted to discharge from a storm overflow where they can demonstrate that there is no local ecological impact". Damage to Chichester/ Langstone Harbours is documented by a daming Natural England report and by that expected for Pagham Harbour all the sites of national significance for biodiversity and protected habitats.

Whilst para 5.2.34 and Box 5.1 of the SA summarise the position no direct statement of intervention is made. Reliance on a 'Statement of Common Ground' that is referred to offers no positive programme of future capital investment by Southern Water (SW) especially when set against SW's overall regional programme its cost and priorities as set out in their draft DWMP- the final version of which is due for release in March this year- does the Plan reflect this documents information that is so crucial to supporting the infrastructure need for the scale of development envisaged is challenging to the plan's 'Soundness'

Time scale of the crucial improvements to infrastructure and particularly sewer and IWWTW capacity is of particular concern. SW's Drainage and Wastewater Management Plan v1 May 2020 set out in very comprehensive way what needs to be achieved and indication of time scale -placing most in AMP8 the next 5 yr business cycle and OFWAT approval would be needed for the scale of expenditure that is many hundred of millions. These time scale constraints should be reflected in the phasing of any housing development that will have to utilise the network. There is no direct indication that such phasing will be actively enforced.

The lack of inclusion in a key background supporting document -Strategic Flood Risk Assessment (SFRA) -of the Planning Practice Guidance on Flood Risk and Coastal Change that has important bearing on issues particularly for the southern plan area and specifically mentions the importance of the phasing of development to infrastructure provision is a concern especially when it was published in August 2022. These omission again have an impact on the Plan's overall 'Soundness.

A significant consideration in the plan that supports the need for more housing supply is the need to address affordability. The district has one of the highest ratio of median earnings to house prices of 14 times and despite substantial house building during the period 2013 -2022 the ratio has increased from 10.55. It is clear that the type of housing that has occurred and continues to be proposed in the district has done little if anything to impact on affordability and address the need for social/lower cost housing. Based on the 2011 census the district experienced 1,505 inward migration (only Brighton and Hove being higher in the West Sussex/ Gt Brighton area) - this trend has been expected to have continued and accelerated as the pandemic increased the popularity of coastal property and raised market cost of property. Just building more houses without policy intervention to prioritise social shared ownership housing will most probably prove to further increase the extent of unaffordability with the resultant consequences on workforce -especially to support the district ageing population- and supporting young people to remain in the area they have grown up in or have come to be educated. This aspect is cause concern over the Plan's 'Soundness'.

Considerable emphasis is placed on the issues of nutrient neutrality, damage to biodiversity and pollution of Chichester Harbour AONB but such emphasis is not extended to Pagham Harbour that has a similar ecological status to Chichester and suffers the same degradation issues. Although Pagham is outside of the nutrient protection zone the factors contributing to nutrient problems are apparent feeding into Pagham. The delayed report on condition for Pagham from Natural England mirroring that for Chichester Hb gives every indication it will indicate the same levels of detriment as those in Chichester Hb. This assumption being supported by condition reports for instance for rife and ditch condition known reports. Added to these factors are known issues relating to untreated discharges from Sidlesham WWTW. The Local Plans's lack of affording Pagham similar consideration to Chichester Hb is an issue that impacts on the Local Plan's overall 'Soundness'.

**Duty to cooperate**

The West Sussex and Greater Brighton Strategic Planning Board (WSGBSPB) provides a context for integrated planning along the coast plain area. It is stated that this board is due to issue a review of its 2016 report next month -does the Plan address any issues that this review may raise? . Housing needs are a major feature of the area and the need to transfer unmet housing demand to adjoining authorities is characteristic feature of past policy.. The SA quite categorically states that there would be no realistic potential to meet unmet housing need above the now established LHN figure. Should the WSGBSPB's report signal the need for the district to absorb housing from other areas there may be problems as the Plan does not appear to offer any contingency or process how such pressure might be mitigated.

The highly restricted housing numbers in the South Downs National Park Local Plan and the closeness of its boundary to the 'coastal strip' are contributing factors to the area's carrying and overall capacity to support development. Further constraint is imposed by the Chichester Harbour Area of Outstanding Natural Beauty ( AONB) and the geographical physical restrictions of the Manhood Peninsula creating 'coastal squeeze'.

**Change suggested by respondent:**

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**Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** Chichester District Local Plan Reg19 Submission - <https://chichester.oc2.uk/a/sx9>**Support****Document Element:** Policy NE19 Nutrient Neutrality**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]**Summary:**

The inclusion of the Nitrate Neutrality policy since the previous iteration of the Plan is welcomed and it will be important that the guidance is continually monitored and reviewed to ensure that it is fit for purpose and that mitigation measures are effective.

**Full text:**

The inclusion of the Nitrate Neutrality policy since the previous iteration of the Plan is welcomed and it will be important that the guidance is continually monitored and reviewed to ensure that it is fit for purpose and that mitigation measures are effective.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/tr6>**Object****Document Element:** Policy NE19 Nutrient Neutrality**Respondent:** Mayday! Action Group (John Garrett) [7163]**Summary:**

Increasing the housing stock in the Local Plan period by some 10000 houses must have a sequential impact upon the harbour. The Harbour is degrading.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the

environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to it long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

Stop the nitrates by investing in the infrastructure, and until the infrastructure is in place do not build more houses. Fix the problem and see the SSSI improve before adding to the problem. It is not enough to only consider the impact of net new developments.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

#### Summary:

Premier suggest the policy is amended to make explicit reference for mitigation to be agreed on a site-by-site basis and to be proportionate and reasonable to the scale of proposed development to ensure it is effective in accordance with paragraph 35(c) of the NPPF.

#### Full text:

Premier support the policy approach to protecting water quality from nitrates and associated impacts on wildlife given the Chichester Harbour Site of Special Scientific Interest (SSSI) designation. That said, Premier suggest the policy is amended below to make explicit reference for mitigation to be agreed on a site-by-site basis and to be proportionate and reasonable to the scale of proposed development to ensure it is effective in accordance with paragraph 35(c) of the NPPF.

"Development involving an overnight stay (including in dwellings and all forms of holiday accommodation) that discharges into Chichester and Langstone Harbour SPA/ Ramsar (either surface water, non mains drainage development or through wastewater treatment works) will be required to demonstrate that it will be nutrient neutral for the lifetime of the development, either by its own means or by means of agreed mitigation measures to be agreed on a site-by-site basis and to be proportionate and reasonable to the scale of proposed development".

#### Change suggested by respondent:

Add the following after " or by means of agreed mitigation measures":

to be agreed on a site by site basis and to be proportionate and reasonable to the scale of proposed development".

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxj>

## Support

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle

**Full text:**

Premier support the policy approach to protecting water quality from nitrates and associated impacts on wildlife given the Chichester Harbour Site of Special Scientific Interest (SSSI) designation. That said, Premier suggest the policy is amended below to make explicit reference for mitigation to be agreed on a site-by-site basis and to be proportionate and reasonable to the scale of proposed development to ensure it is effective in accordance with paragraph 35(c) of the NPPF.

"Development involving an overnight stay (including in dwellings and all forms of holiday accommodation) that discharges into Chichester and Langstone Harbour SPA/ Ramsar (either surface water, non mains drainage development or through wastewater treatment works) will be required to demonstrate that it will be nutrient neutral for the lifetime of the development, either by its own means or by means of agreed mitigation measures to be agreed on a site-by-site basis and to be proportionate and reasonable to the scale of proposed development".

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxj>

## Object

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

The "agreed mitigation measures" must be in the context of Chichester Harbour. It is no good permitting a development with the mitigation substantially off-site. I think this has to be clear in the policy.

**Full text:**

The "agreed mitigation measures" must be in the context of Chichester Harbour. It is no good permitting a development with the mitigation substantially off-site. I think this has to be clear in the policy.

**Change suggested by respondent:**

Expand the wording.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

The RSPB is supportive of measures in place to address the increase in nutrient inputs to Chichester and Langstone Harbours Special Protection Area (SPA)/Ramsar and Chichester Harbour SSSI. The RSPB agrees that while nitrogen originating from new development is not the only source, it is critical to ensure that new potential sources of nitrogen inputs do not further increase the nitrogen loads in Chichester Harbour. Securement of a nutrient neutrality scheme should be completed alongside additional catchment management measures and water quality improvement schemes to restore favourable condition in these ecosystems to enable the designated species to thrive in healthy waters.

**Full text:**

The RSPB is supportive of measures in place to address the increase in nutrient inputs to Chichester and Langstone Harbours Special Protection Area (SPA)/Ramsar and Chichester Harbour SSSI. The RSPB agrees that while nitrogen originating from new development is not the only source, it is critical to ensure that new potential sources of nitrogen inputs do not further increase the nitrogen loads in Chichester Harbour. Securement of a nutrient neutrality scheme should be completed alongside additional catchment management measures and water quality improvement schemes to restore favourable condition in these ecosystems to enable the designated species to thrive in healthy waters.

Although supportive of the overall measures in place to address nutrient neutrality, the RSPB considers Policy NE19 needs to include further information regarding the current state of play for nutrient mitigation schemes in the district. The RSPB considers that strategic mitigation plans should be adopted in each catchment to model the optimum mix of catchment and nature-based solutions (CNBS), engineered and hybrid solutions. Although mitigation plans should be developed and delivered by a catchment operator (likely a water company), these mitigation plans should work closely with Local Authorities and strategic planning for districts in order to address nutrient neutrality holistically across the district and wider catchment areas.

Further, in addition to mitigation plans and information regarding any upcoming nutrient mitigation schemes available in the district, guidance should be included in Policy NE19 to provide more detail to aid development in implementing adequate mitigation measures to address nutrient neutrality when proposed to be fulfilled by their own means.

Without the above additional information regarding nutrient neutrality within the Local Plan document, the RSPB does not consider it possible to conclude that Policy NE19 is 'sound' as, in its current form, the policy does not show effective joint working on cross-boundary strategic matters surrounding nutrient neutrality.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** RSPB-Response-to-Chichester-Local-Plan-Regs-19-17-03-23 - <https://chichester.oc2.uk/a/tst>

## Object

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

Without additional information regarding nutrient neutrality, the current stage of play for mitigation schemes in the district, and how Chichester District Council are seeking to work collaboratively with catchment operators within the Local Plan document, the RSPB does not consider it possible to conclude that Policy NE19 is 'sound' as, in its current form, the policy does not show effective joint working on cross-boundary strategic matters surrounding nutrient neutrality.

**Full text:**

The RSPB is supportive of measures in place to address the increase in nutrient inputs to Chichester and Langstone Harbours Special Protection Area (SPA)/Ramsar and Chichester Harbour SSSI. The RSPB agrees that while nitrogen originating from new development is not the only source, it is critical to ensure that new potential sources of nitrogen inputs do not further increase the nitrogen loads in Chichester Harbour. Securement of a nutrient neutrality scheme should be completed alongside additional catchment management measures and water quality improvement schemes to restore favourable condition in these ecosystems to enable the designated species to thrive in healthy waters.

Although supportive of the overall measures in place to address nutrient neutrality, the RSPB considers Policy NE19 needs to include further information regarding the current state of play for nutrient mitigation schemes in the district. The RSPB considers that strategic mitigation plans should be adopted in each catchment to model the optimum mix of catchment and nature-based solutions (CNBS), engineered and hybrid solutions. Although mitigation plans should be developed and delivered by a catchment operator (likely a water company), these mitigation plans should work closely with Local Authorities and strategic planning for districts in order to address nutrient neutrality holistically across the district and wider catchment areas.

Further, in addition to mitigation plans and information regarding any upcoming nutrient mitigation schemes available in the district, guidance should be included in Policy NE19 to provide more detail to aid development in implementing adequate mitigation measures to address nutrient neutrality when proposed to be fulfilled by their own means.

Without the above additional information regarding nutrient neutrality within the Local Plan document, the RSPB does not consider it possible to conclude that Policy NE19 is 'sound' as, in its current form, the policy does not show effective joint working on cross-boundary strategic matters surrounding nutrient neutrality.

**Change suggested by respondent:**

Additional information regarding nutrient neutrality, the current stage of play for mitigation schemes in the district, and how Chichester District Council are seeking to work collaboratively with catchment operators within the Local Plan document.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** RSPB-Response-to-Chichester-Local-Plan-Regs-19-17-03-23 - <https://chichester.oc2.uk/a/tst>

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of draft Policy NE19, the supporting text of which cross-references Policy NE16 and largely replicates draft Policy NE6(b). As such, the need for draft Policy NE19 is unclear. It certainly presents an opportunity for consolidation. Bellway acknowledge that nutrient neutrality is an evolving issue and would encourage Chichester Council to consider the implications of the LURB through the SHRA. The lack of identification of either Council led, or third party, solutions to deliver credits is disappointing.

**Full text:**

See attachment.

**Change suggested by respondent:**

The draft Policy should be expanded to actively promote and encourage suitable schemes, which might yield wider environmental benefits.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

We would advise that to improve clarity the policy is expanded (possibly with some of the wording currently in paragraph 4.121 of the supporting text) to make clear exactly what information relevant developments will be expected to provide.

We note that only new developments with overnight accommodation are captured by the policy.

This is acceptable but we would encourage you to highlight in the supporting text that there may be individual cases where planning applications for new commercial or industrial development such as waste management facilities, road schemes or changes in agricultural practices could have other (non-sewerage) water quality implications. In these situations, a case-by-case approach will be adopted.

**Full text:**

**Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

Expand policy to clarify information requirements of developers;

Highlight in supporting text where case-by-case approach (i.e. for commercial or industrial development) will be adopted;

In addition to the Nutrient Neutrality guidance located on the Chichester District Council's website Natural England has below provided some additional signposting of further guidance documents that can assist with the design and implementation of various options for nutrient neutrality mitigation which you may wish to reference in the supporting text:

- The Wetland Mitigation Framework should be utilised in the design and feasibility process for constructed wetlands. Additionally, further background information on constructed wetlands can be found within the 'Introduction to Freshwater Wetlands for Improving Water Quality (JP044)' report, which was recently published by Natural England.
- Combining environmental payments: biodiversity net gain (BNG) and nutrient mitigation
- Constructed wetlands for the treatment of pollution

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Document Element:** Policy NE19 Nutrient Neutrality

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England welcomes and supports the policy wording, which ensures that proposals with new overnight accommodation, that discharge the Chichester and Langstone Harbours catchment, must ensure nutrient neutrality for the lifetime of the development.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Pollution, 4.123

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

There is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and its rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.



Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively. The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

"To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process."

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a "sustainable or integrated" transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and "East of Chichester" (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary "The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks". This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to "predicting and providing" for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the ‘Five Villages’ area in Arun District.” We unequivocally endorse this conclusion. Realising a “game-changing” level of

bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be “enhanced” and “reinforced”.

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District’s mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester.

There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion

through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method...” The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protected is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide" has "run out of road" no attempt has been made to examine what such a

solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this. Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

“Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

“1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs



in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to "roll forward" this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west through movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of "zero-sum" game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous "predict and provide" approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that "shared mobility" – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this "cars first" approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester "This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone." This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the

Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d’être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The authority will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The authority can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-

intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material. To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

#### 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

...”

#### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

"9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised."

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered "severe" in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

"(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...  
• Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and..."

At limb v) the Policy expects developers to meet the "in perpetuity costs of operating and maintaining infrastructure". This shackles development management decisions to developers assuming what are infinite costs – given that "in perpetuity", read properly, can only mean "without any limit in time". This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar of reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and

interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

#### 9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

#### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a

growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...  
 • Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.  
 ..."

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...  
 10. Make provision to accommodate and secure delivery of for regular bus services linking through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,  
 ..."

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

" ...  
12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

" ...  
9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;  
..."

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

" ...  
5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;  
..."

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework



- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

" ...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

" ...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhamphnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with

the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

**Support**

**Document Element:** Policy NE20 Pollution

**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]

#### Summary:

Portsmouth Water support this policy.

#### Full text:

Portsmouth Water support this policy.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE20 Pollution

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

How can pollution possibly be mitigated? Air quality will be severely impacted across the district, particularly with 2000 homes being squeezed into the A259 corridor between Fishbourne and Southbourne.

**Full text:**

How can pollution possibly be mitigated? Air quality will be severely impacted across the district, particularly with 2000 homes being squeezed into the A259 corridor between Fishbourne and Southbourne.

**Change suggested by respondent:**

Study to show the impact this level of housing will have on air quality and pollution caused by the increase in traffic.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE20 Pollution

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

There appears to be no evidence of a district wide strategic approach to achieving appropriate mitigation measures.

**Full text:**

There appears to be no evidence of a district wide strategic approach to achieving appropriate mitigation measures.

**Change suggested by respondent:**

Both a reduction in housing numbers to reduce the pollution and a district wide strategic approach to achieving appropriate mitigation measures, to ensure soundness of the plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy NE20 Pollution

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT supports the inclusion of a policy relating to pollution. Further to this, given the complexity of the issues relating to the broad topic of pollution, we welcome the approach to provide more specific detail on the range of potential pollution pathways.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy NE20 Pollution

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

.If this is the case, then development should be refused. There can be no mitigation for increased pollution. The A259 corridor, with an increase of 2000 homes will have higher levels of pollution, mostly from increased use of cars. This will affect air quality and it has been proven to create more lung disease in all ages of people..

**Full text:**

.If this is the case, then development should be refused. There can be no mitigation for increased pollution. The A259 corridor, with an increase of 2000 homes will have higher levels of pollution, mostly from increased use of cars. This will affect air quality and it has been proven to create more lung disease in all ages of people..

**Change suggested by respondent:**

Impacts should not be mitigated for.

Planning should be refused if there is an adverse pollution impact.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy NE20 Pollution

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies NE11, NE12, NE13 (where I would like to see more emphasis on resolving the problems of effluent), NE15, NE16 (where you do now tackle the issue of waste water), NE19, and NE20.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sj>

## Support

**Document Element:** Policy NE20 Pollution

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE20 Pollution

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

What are the acceptable levels? How will the impacts be assessed and measured over time? Who is accountable?

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A

road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2k.uk/a/skf>

## Object

**Document Element:** Policy NE20 Pollution

**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]

**Summary:**

We recommend that the following is included within the policy or within notes to this policy:

A Construction Environmental Management Plan (CEMP) is recommended for developments that are located within Source Protection Zones (SPZ) and next to rivers.

**Full text:**

We recommend that the following is included within the policy or within notes to this policy:

A Construction Environmental Management Plan (CEMP) is recommended for developments that are located within Source Protection Zones (SPZ) and next to rivers.

**Change suggested by respondent:**

We recommend that the following is included within the policy or within notes to this policy:

A Construction Environmental Management Plan (CEMP) is recommended for developments that are located within Source Protection Zones (SPZ) and next to rivers.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE20 Pollution

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We would recommend that a further sentence is added to this policy as follows to cover construction activities which can give rise to greater pollution risks:

"During construction activities, pollution prevention measures should be taken on site including appropriate storage of hazardous substances, suitable management of surface water to prevent pollutants reaching watercourses and equipment provided for containing spills if necessary."

Further guidance on the above can be found on the gov.uk website - <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

**Full text:**

We would recommend that a further sentence is added to this policy as follows to cover construction activities which can give rise to greater pollution risks:

"During construction activities, pollution prevention measures should be taken on site including appropriate storage of hazardous substances, suitable management of surface water to prevent pollutants reaching watercourses and equipment provided for containing spills if necessary."

Further guidance on the above can be found on the gov.uk website - <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

**Change suggested by respondent:**

Please see our comments on this policy. We would recommend that a further sentence is added to this policy as follows to cover construction activities which can give rise to greater pollution risks:

"During construction activities, pollution prevention measures should be taken on site including appropriate storage of hazardous substances, suitable management of surface water to prevent pollutants reaching watercourses and equipment provided for containing spills if necessary."

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE20 Pollution

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of draft Policy NE20 but query whether it is necessary to include; 'Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land' when all are policies in their own right, noting that the plan needs to be read as a whole.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Document Element:** Policy NE20 Pollution

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England supports the inclusion of the above policy and welcomes the recognition in all of them that impacts have the potential to affect biodiversity and the natural environment as well as humans.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Background, 4.128

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Factual correction. Dark Sky Discovery Sites are not 'designations'. The correct wording would be: "The plan area includes three 'Dark Sky Discovery Sites', all defined within the Chichester Harbour AONB..."

**Full text:**

Factual correction. Dark Sky Discovery Sites are not 'designations'. The correct wording would be: "The plan area includes three 'Dark Sky Discovery Sites', all defined within the Chichester Harbour AONB..."

**Change suggested by respondent:**

Dark Sky Discovery Sites are not 'designations'. The correct wording would be: "The plan area includes three 'Dark Sky Discovery Sites', all defined within the Chichester Harbour AONB..."

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Support

**Document Element:** Policy NE21 Lighting

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Disappointing that there is no mention of light pollution in urban areas. Chichester City is full of shops, car parks and other areas which are lit up unnecessarily through the night.

**Full text:**

Disappointing that there is no mention of light pollution in urban areas. Chichester City is full of shops, car parks and other areas which are lit up unnecessarily through the night.

**Change suggested by respondent:**

Disappointing that there is no mention of light pollution in urban areas. Chichester City is full of shops, car parks and other areas which are lit up unnecessarily through the night.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE21 Lighting

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT supports the inclusion of this policy, which recognises the need to ensure lighting does not impact protected sites and species. This is consistent with NPPG Paragraph: 006 Reference ID: 31-006-20191101 and 185 c of the NPPF 2021.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy NE21 Lighting

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Needs to include a positive statement of having the goal to minimize light pollution.

**Full text:**

Needs to include a positive statement of having the goal to minimize light pollution.

**Change suggested by respondent:**

The overall goal of this policy is to minimize light pollution.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE21 Lighting

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Needs to specify requirement for energy-efficient forms of lighting.

**Full text:**

Needs to specify requirement for energy-efficient forms of lighting.

**Change suggested by respondent:**

The detailed lighting scheme has been prepared in line with relevant British Standards and the latest national design guidance, including using specific energy-efficient forms of lighting.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE21 Lighting

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Ref. Bullet point 4. A requirement needs to be added regarding the use of cowls and careful directional lighting.

**Full text:**

Ref. Bullet point 4. A requirement needs to be added regarding the use of cowls and careful directional lighting.

**Change suggested by respondent:**

A requirement needs to be added regarding the use of cowls and careful directional lighting.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy NE21 Lighting

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policy NE21, NE22, NE23, and N24.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy NE21 Lighting

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

Lighting design and installation policy NE21 should include a statement that provides safety and security for pedestrians, cyclist and vehicles and particularly to reassure lone pedestrians especially women during hours of darkness.

**Full text:**

Lighting design and installation policy NE21 should include a statement that provides safety and security for pedestrians, cyclist and vehicles and particularly to reassure lone pedestrians especially women during hours of darkness.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE21 Lighting

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

Support in principle

**Full text:**

Lighting design and installation policy NE21 should include a statement that provides safety and security for pedestrians, cyclist and vehicles and particularly to reassure lone pedestrians especially women during hours of darkness.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE21 Lighting  
**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**  
 Same point as before. Dark Sky Discovery Sites are defined, not designated.

**Full text:**  
 Same point as before. Dark Sky Discovery Sites are defined, not designated.

**Change suggested by respondent:**  
 Dark Sky Discovery Sites are defined, not designated.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE21 Lighting  
**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**  
 We would encourage any policy which maximises the safety of individuals but also manages a more economic use of energy resources. Include 'Switch off the Lights' suggestion made to Chichester District Council at a recent meeting. This policy should be expanded to include measures to reduce light pollution in urban areas.

**Full text:**  
 We would encourage any policy which maximises the safety of individuals but also manages a more economic use of energy resources. Include 'Switch off the Lights' suggestion made to Chichester District Council at a recent meeting. This policy should be expanded to include measures to reduce light pollution in urban areas.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE21 Lighting  
**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**  
 In principle this policy is sensible.

**Full text:**  
 Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next

two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Policy NE21 Lighting

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

Being in the setting of the SDNP, WGPC request that it is a universal requirement that all Velux rooflights and lanterns to have dusk to dawn automatic blinds to prevent the egress of light at night.

**Full text:**

WGPC supports this policy intent.

Being in the setting of the SDNP, WGPC request that it is a universal requirement that all Velux rooflights and lanterns to have dusk to dawn automatic blinds to prevent the egress of light at night.

**Change suggested by respondent:**

Being in the setting of the SDNP, WGPC request that it is a universal requirement that all Velux rooflights and lanterns to have dusk to dawn automatic blinds to prevent the egress of light at night.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE21 Lighting

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE21 Lighting

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of draft Policy NE21. Bellway has no objection to the criteria therein, albeit consider that in many cases (beyond AONB's) such matters are capable of being addressed by means of an appropriately worded condition. This observation is perhaps more pertinent to the validation list than the draft Plan.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Document Element:** Policy NE21 Lighting

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England supports the inclusion of the above policy and welcomes the recognition in all of them that impacts have the potential to affect biodiversity and the natural environment as well as humans.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

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- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy NE22 Air Quality

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

1) Development is patently not located or designed to minimise traffic generation. Unless there is a fully integrated and planned modal shift requiring substantial investment car use will rise exponentially. Locating so much housing out of the city in areas which have minimal facilities will lead to many more car journeys. If your nearest shop or pharmacy is 2/3 miles away are you going to wait for a bus scheduled every 30 mins, walk 40 mins each way or get in the car?

**Full text:**

1) Development is patently not located or designed to minimise traffic generation. Unless there is a fully integrated and planned modal shift requiring substantial investment car use will rise exponentially. Locating so much housing out of the city in areas which have minimal facilities will lead to many more car journeys. If your nearest shop or pharmacy is 2/3 miles away are you going to wait for a bus scheduled every 30 mins, walk 40 mins each way or get in the car?

**Change suggested by respondent:**

Housing allocation to be reduced and located more to the city.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy NE22 Air Quality

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

We support every effort to improve air quality. Include Ultra Low Emission Zones. Use of car pooling. Air quality will be reduced by the increased volume of traffic on the A27 before any upgrades can be implemented because engine idling will be increased.

The siting of 2000 new homes along the A259 corridor and the increase in traffic will impact in air quality. This cannot be mitigated. It will deter those who wish to walk or cycle if they are breathing in fumes from cars. The only way this policy can be achieved is if there is a decrease in cars using our roads. And without frequent bus and train services at affordable levels of cost, this will not happen.

**Full text:**

We support every effort to improve air quality. Include Ultra Low Emission Zones. Use of car pooling.

Air quality will be reduced by the increased volume of traffic on the A27 before any upgrades can be implemented because engine idling will be increased.

The siting of 2000 new homes along the A259 corridor and the increase in traffic will impact in air quality. This cannot be mitigated. It will deter those who wish to walk or cycle if they are breathing in fumes from cars. The only way this policy can be achieved is if there is a decrease in cars using our roads. And without frequent bus and train services at affordable levels of cost, this will not happen.

**Change suggested by respondent:**

Reduce the housing numbers from 10,350.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy NE22 Air Quality

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policy NE21, NE22, NE23, and N24.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy NE22 Air Quality

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

In our Parish the road infrastructure has not changed in 30 years, likewise there is no vision for safe pedestrian or cycle networks .CDC's HEELA desk top assessment of sites suitable for development completely and utterly fails to consider this element of the policy.

The air quality in our Parish, in particular that of the Broad Road area, will increasingly suffer from more and more air pollution. The increase in vehicular traffic created by new dwellings will continue to impact air quality for all residents along the East / West corridor. The move to electric cars will take much longer than is currently predicted.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.
14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>**Object****Document Element:** Policy NE22 Air Quality**Respondent:** Stagecoach South (Rob Vince) [8141]



**Summary:**

Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion by maximising the relevance and attractiveness of sustainable transport modes, including provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should "be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees" (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that "the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters." Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

**2. Vision and Strategic Objectives****2.1. Issues and Opportunities**

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively. The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...

...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation partake to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome. East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

### 3.1. Policy S1 Spatial Development Strategy

#### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

### 3.2. Policy S2 Settlement Hierarchy

#### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

## 4. Climate Change and the Natural Environment

### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

"4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant."

This is a retroactive approach – it is not "planning", based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on

predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide" has "run out of road" no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework



- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this. Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

“Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

#### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

“1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

#### 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

“Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council’s Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car.”

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d’être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of

the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 "Development and the Strategic Highways Network", applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

"31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel." (our emphasis)

Within the text quoted above, references to National Highways and "the Company" can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material. To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District's identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan's own Strategic Objectives can be met.

#### 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous "predict and provide" solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

"Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over

car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective “tick box” exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to-date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

#### 9. Strategic and Area Based Policies

##### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar of reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;

- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

#### 9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add

ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park  
Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...  
"  
"

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...  
"

- 10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating

at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,  
 ..."

#### 9.5. Policy A7 Land at Shopwhyke

##### Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

" ...  
 12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
 ..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

" ...  
 9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of



Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

“

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

”

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

“

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

”

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an

unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“ ...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes “Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes.” (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive “first principles” review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

“ ...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

“ ...

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master

Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the and impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

"...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure

these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

**Change suggested by respondent:**

Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion by maximising the relevance and attractiveness of sustainable transport modes, including provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

**Support**

**Document Element:** Policy NE22 Air Quality

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are pleased to see that this policy recognises that new development may be located near to existing uses that may be potentially polluting to housing. It is important that the onus should be on the developer/applicant to manage any impact to ensure that they don't leave the existing user affected, e.g. by complaints.

**Full text:**

We are pleased to see that this policy recognises that new development may be located near to existing uses that may be potentially polluting to housing. It is important that the onus should be on the developer/applicant to manage any impact to ensure that they don't leave the existing user affected, e.g. by complaints.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Support**

**Document Element:** Policy NE22 Air Quality

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway welcome the inclusion to maximise the provision of pedestrian and cycle networks to minimise traffic generation and congestions. The sustainable location of the Police Fields provides significant opportunity to maximise the use of the site, being a walkable development in terms of access to the city centre. Bellway contend that the proposed draft policy 'Air Quality' as conveyed in the draft Plan has been positively prepared, is fully justified, effective and consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Document Element:** Policy NE22 Air Quality

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England supports the inclusion of the above policy and welcomes the recognition in all of them that impacts have the potential to affect biodiversity and the natural environment as well as humans.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Background, 4.134

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Leisures uses can generate noise and disturbance and should be added to the list of potential sources, for which none assessments should be a critical element of development proposals on land adjacent. The Goodwood motor Circuit and aerodrome represent a major leisure (as well as commercial and economic) use that generates noise. Any development proposed adjacent should require a full and representative noise assessment

**Full text:**

Leisures uses can generate noise and disturbance and should be added to the list of potential sources, for which none assessments should be a critical element of development proposals on land adjacent. The Goodwood motor Circuit and aerodrome represent a major leisure (as well as commercial and economic) use that generates noise. Any development proposed adjacent should require a full and representative noise assessment

**Change suggested by respondent:**

Leisures uses can generate noise and disturbance and should be added to the list of potential sources

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t66>

## Support

**Document Element:** Policy NE23 Noise  
**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**  
 .This should be expanded to include noise assessment caused by additional traffic on our road networks and measures implemented to measure this.

**Full text:**  
 .This should be expanded to include noise assessment caused by additional traffic on our road networks and measures implemented to measure this.

**Change suggested by respondent:**  
 This should be expanded to include noise assessment caused by additional traffic on our road networks and measures implemented to measure this.

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Support

**Document Element:** Policy NE23 Noise  
**Respondent:** John Newman [8169]

**Summary:**  
 I agree with Policy NE21, NE22, NE23, and N24. Re NE23 I feel this especially strongly, having suffered from the selfish noise sometimes generated by Goodwood, who are able occasionally to get away with non-silenced vehicles and obtrusive loudspeakers in a manner that would be criminal were I to behave in that manner. Indeed I think that CDC is too indulgent towards Goodwood - is this a relic of Chichester's [ongoing] feudalism?

**Full text:**  
 See attachment.

**Change suggested by respondent:**  
 -

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sjg>

## Object

**Document Element:** Policy NE23 Noise  
**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**  
 [National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Considerations in line with NH policy.] For sites positioned close to the SRN carriageway and junctions, it will be necessary to ensure that the development proposals mitigate appropriately the potential for lighting, noise, and vibration impacts.

In terms of noise, we would expect development masterplans to be designed to minimise the exposure to strategic traffic, for example a landscape buffer or sensitive screening to shield the environment and dwellings from A27 noise.

In addition to noise impacts and in accordance with our policies which support that all noise fences, screening and other structures must be erected on the development land, and far enough within the developer's land to enable maintenance to take place without encroachment onto highway land. We would expect that these issues are considered as part of planning proposals.

Impacts arising from any disruptions during construction, noise, vibration, traffic volume, composition or routing and transport infrastructure modification should be fully assessed and reported.

**Full text:**  
 We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.  
 Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:  
 - the reliance on the delivery of the A27 Chichester bypass improvements project.  
 - the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.  
 - collaborative working between agencies in combination with a robust monitor and manage policy.  
 We hope our comments assist.  
 To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queuing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a



key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

Amend the policy to ensure that for sites close to the SRN:

- development proposals appropriately mitigate the potential for lighting, noise, and vibration impacts;
- development masterplans are designed to minimise the exposure to strategic traffic;
- all noise fences, screening and other structures must be erected on the development land, and far enough within the developer's land to enable maintenance to take place without encroachment onto highway land;
- impacts arising from any disruptions during construction, noise, vibration, traffic volume, composition or routing and transport infrastructure modification are fully assessed and reported.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Support

**Document Element:** Policy NE23 Noise

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

Looks like a sensible policy.

#### Full text:

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

**Object****Document Element:** Policy NE23 Noise**Respondent:** The Goodwood Estates Company Limited [7922]**Agent:** HMPC Ltd (Mr Haydn Morris) [112]**Summary:**

The policy is supported, particularly reference to Goodwood Airfield and Goodwood Motor Circuit. We request the Plan ensures all demonstrations of policy compliance are robust. Developers when presenting evidence, are often selective or apply a generic approach to noise assessment not truly representative of existing situations.

**Full text:**

The policy is supported, particularly reference to Goodwood Airfield and Goodwood Motor Circuit. We request the Plan ensures all demonstrations of policy compliance are robust. Developers when presenting evidence, are often selective or apply a generic approach to noise assessment not truly representative of existing situations.

The plan should set out clearly the minimum evidence required to demonstrate the lack of noise disturbance and a resultant high-quality of living environment for individual sites.

Policy should acknowledge the impact of new development on existing uses, with reference to the 'agent of change' principle (NPPF paragraph 186) being a policy requirement.

**Change suggested by respondent:**

The plan should set out clearly the minimum evidence required to demonstrate the lack of noise disturbance and a resultant high-quality of living environment for individual sites.

Policy should acknowledge the impact of new development on existing uses, with reference to the 'agent of change' principle (NPPF paragraph 186) being a policy requirement.

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Written representation - <https://chichester.oc2.uk/a/t65>**Support****Document Element:** Policy NE23 Noise**Respondent:** The Goodwood Estates Company Limited [7922]**Agent:** HMPC Ltd (Mr Haydn Morris) [112]**Summary:**

The policy is supported, particularly reference to Goodwood Airfield and Goodwood Motor Circuit.

**Full text:**

The policy is supported, particularly reference to Goodwood Airfield and Goodwood Motor Circuit. We request the Plan ensures all demonstrations of policy compliance are robust. Developers when presenting evidence, are often selective or apply a generic approach to noise assessment not truly representative of existing situations.

The plan should set out clearly the minimum evidence required to demonstrate the lack of noise disturbance and a resultant high-quality of living environment for individual sites.

Policy should acknowledge the impact of new development on existing uses, with reference to the 'agent of change' principle (NPPF paragraph 186) being a policy requirement.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Written representation - <https://chichester.oc2.uk/a/t65>**Object****Document Element:** Policy NE23 Noise**Respondent:** Bellway Homes (Wessex) Ltd [1573]**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]**Summary:**

Bellway agree with the sentiment of draft Policy NE23, acknowledging that noise can have an impact on the living conditions of future occupiers in residential developments. Bellway has no objection to the criteria therein, albeit consider that in many cases (beyond AONB's) such matters are capable of being addressed by means of an appropriately worded condition. This observation is perhaps more pertinent to the validation list than the draft Plan. Bellway contend that the draft Policy 'Noise' as conveyed in the draft Plan has been positively prepared, is fully justified, effective and consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy NE23 Noise

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

The words 'an absence of significant noise disturbance or annoyance' in criterion 1 are sufficiently ambiguous to compromise effectiveness of policy. Similarly, in criterion 2 the wording 'by reason of noise disturbance and annoyance on the surrounding area or environment,' is sufficiently ambiguous to compromise effectiveness of policy.

**Full text:**

See attachment.

**Change suggested by respondent:**

Suggest wording that aligns better to NPPG4:

'...by seeking to ensure noise exposure likely to give rise to significant adverse effects on health and quality of life is avoided...'

We would suggest criterion 2 be reworded to be more specific to the noise sensitive uses and users this criterion is aimed toward.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/smp>

## Support

**Document Element:** Policy NE23 Noise

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England supports the inclusion of the above policy and welcomes the recognition in all of them that impacts have the potential to affect biodiversity and the natural environment as well as humans.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** 420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Support

**Document Element:** Policy NE24 Contaminated Land

**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]

**Summary:**

Portsmouth Water supports this policy.

**Full text:**

Portsmouth Water supports this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE24 Contaminated Land

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policy NE21, NE22, NE23, and N24.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy NE24 Contaminated Land

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We support this policy as drafted.

**Full text:**

We support this policy as drafted.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy NE24 Contaminated Land

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy NE24 Contaminated Land

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

Re-use of land affected by contamination can reduce pressure on greenfield sites and make efficient use of previously developed land.

Development proposals requiring the remediation of contaminated land will be supported where it is demonstrated that the following criteria have been addressed:

1. An appropriate site investigation has been completed to identify and quantify potential sources of contamination within the site; and
2. A risk assessment of the site investigation data has been undertaken and used to inform any necessary remediation measures so as to achieve an acceptable level of risk of contamination for future users of the site, the surrounding area and the environment.

This should be actively promoted by the District Council, as the district as per the 2021 HEELA has capacity on brownfield sites for some 4500 homes.

**Full text:****Executive Summary**

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy NE24 Contaminated Land

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of draft Policy NE24. Bellway has no objection to the criteria therein, albeit consider that in many cases (beyond AONB's) such matters are capable of being addressed by means of an appropriately worded condition. This observation is perhaps more pertinent to the validation list than the draft Plan. Bellway contend that the draft Policy 'Contaminated Land' as conveyed in the draft Plan has been positively prepared, is fully justified, effective and consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Support

**Document Element:** Background, 5.1

**Respondent:** Mr Roger Wakeham [7863]

**Summary:**

No comment.

**Full text:**

none. no up lodes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 5.1

**Respondent:** Mr Robin Davison [7931]

**Summary:**

Selsey Town Council acknowledges that Selsey's housing allocation has been reduced to zero.

**Full text:**

Selsey Town Council acknowledges that Selsey's housing allocation has been reduced to zero.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 5.1

**Respondent:** Mr Peter Jannece [7951]

**Summary:**

There is no account of how many Holiday Lets ie Houses, Apartments & B&Bs in the County or District in the Local Plan.

One can only guess that there are between 3 and 10% of these. This means that they remove opportunity for those who want to buy or rent a home. This in turn means means that it displaces in the region of 1000 homes that then encroach on our green spaces.

Do councils monitor or place limits on Holiday Lets?

If not , why not ?

**Full text:**

There is no account of how many Holiday Lets ie Houses, Apartments & B&Bs in the County or District in the Local Plan.

One can only guess that there are between 3 and 10% of these. This means that they remove opportunity for those who want to buy or rent a home. This in turn means means that it displaces in the region of 1000 homes that then encroach on our green spaces.

Do councils monitor or place limits on Holiday Lets?

If not , why not ?

**Change suggested by respondent:**

Account for Holiday Lets

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Background, 5.2

**Respondent:** Mrs Clare Gordon-Pullar [7010]

**Summary:**

The Council should not have to meet the unmet housing need from the South Downs National Park,

**Full text:**

The Council should not have to meet the unmet housing need from the South Downs National Park,

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Object

**Document Element:** Background, 5.2

**Respondent:** Mrs Deborah Speirs [7843]

**Summary:**

The council is assuming the current capacity of the A27 is a permanent constraint which is not sound rationale. The M27 was originally designed to run from Cadnam through to West Sussex but currently stops at Portsmouth. If the A27 was enlarged and capacity increased then the council could accommodate any unmet need within the south of the district rather than the north. I presume this is a question of money rather than sound logic. It must be preferable to build houses in more urban areas around the existing A27 than green field sites around northern villages.

**Full text:**

The council is assuming the current capacity of the A27 is a permanent constraint which is not sound rationale. The M27 was originally designed to run from Cadnam through to West Sussex but currently stops at Portsmouth. If the A27 was enlarged and capacity increased then the council could accommodate any unmet need within the south of the district rather than the north. I presume this is a question of money rather than sound logic. It must be preferable to build houses in more urban areas around the existing A27 than green field sites around northern villages.

**Change suggested by respondent:**

To include reference to housing projections in the south of the district if A27 was enlarged.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 5.2

**Respondent:** Berkeley Strategic Group (Mr Charlie Rollet-Manus) [7916]

**Summary:**

Berkeley considers that the local plan must make provision to meet, as a minimum, the housing needs of the district in full to support economic growth, promote sustainable patterns of travel, reduce housing unaffordability and meet the housing needs of all sectors of the community, particularly first time buyers, the elderly and those who are unable to secure a home on the open market.

**Full text:**

Berkeley considers that the local plan must make provision to meet, as a minimum, the housing needs of the district in full to support economic growth, promote sustainable patterns of travel, reduce housing unaffordability and meet the housing needs of all sectors of the community, particularly first time buyers, the elderly and those who are unable to secure a home on the open market.

**Change suggested by respondent:**

Please see comment on Policy H1.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Background, 5.2

**Respondent:** Berkeley Strategic Group (Mr Charlie Rollet-Manus) [7916]

**Summary:**

Lawrence Farm is in a sustainable location adjacent to the edge of Chichester City and the Fishbourne Roundabout and is within walking distance of key amenities and public transport services. It is available for development.

The site was previously included in the proposed allocation AL6, but following the withdrawal of other parcels of land within the allocation, the site was discounted in isolation as a result of climate change flood risk. This is the only constraint of the site and does not cover the site in its entirety.

**Full text:**

The Berkeley Group is the sole owner of Lawrence Farm, which is located directly adjacent to the A27 Fishbourne Roundabout to the south of Chichester.

The site is located in close proximity to the edge Chichester City, which as discussed above, is the most sustainable settlement in the district. The site therefore represents a suitable location for development, in accordance with the spatial strategy.

The site has previously been found suitable, was included as part of site allocation AL6 in the Reg 18 draft plan and would assist in the delivery of the Stockbridge Link Road. However, in isolation the site has been discounted for the sole reason that the site in isolation is not considered suitable due to significant flood risk as a result of climate change.

This is the only reasoning given for the site being discounted and should therefore be considered suitable in all other respects. As such, any part of the site that is not within the perceived area of flood risk as a result of climate change is unconstrained and therefore suitable for development.

An area to the north of the site is unconstrained by flooding as a result of climate change and can accommodate circa 25 dwellings. This could provide a small contribution towards the shortfall of housing in the District and should be included as an allocation to Fishbourne Parish under Policy H3, which should be increased by 25 houses to reflect the suitability and capacity of the site.

The site is owned by a single landowner and is therefore available.

Development upon the unconstrained part of the site would not prejudice the delivery of the northern most section of the Stockbridge Relief Road, connecting the A27/A259 Fishbourne Roundabout and the A286 Birdham Road in the future. Any small scale development on the site would not prejudice the land for the relief road.

Additionally, paragraph 5.2.21 suggests proposals to safeguard land for upgrades to the Fishbourne roundabout. Land at Lawrence Farm is directly adjacent to the Fishbourne roundabout and can therefore be utilised effectively to facilitate future junction improvements.

**Change suggested by respondent:**

Given that Lawrence Farm was previously included in a proposed allocation for development, it is considered that land at Lawrence Farm can assist in the Council's ambitions of augmenting the capacity of the A27, through facilitating improvements to Fishbourne Roundabout and can provide an addition to the delivery of housing in Fishbourne Parish. It should therefore be included in the Local Plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Background, 5.2

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Given the significant constraints on the plan area and the fact that the standard methodology need no longer apply when there are exceptional circumstances we feel this number is too high. It represents a reduction of only 100 houses a year. The number should be reduced to a figure reflecting the fact that only 30% of the plan area is developable. It is not possible to squeeze that amount of housing into this area without considerable detrimental impact on local residents and our environment.

**Full text:**

Given the significant constraints on the plan area and the fact that the standard methodology need no longer apply when there are exceptional circumstances we feel this number is too high. It represents a reduction of only 100 houses a year. The number should be reduced to a figure reflecting the fact that only 30% of the plan area is developable. It is not possible to squeeze that amount of housing into this area without considerable detrimental impact on local residents and our environment.

**Change suggested by respondent:**

Reduce the housing number from 10,350 and plead exceptional circumstances for Chichester District and its residents.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 5.2

**Respondent:** Mr David Lock and Ms Melanie Jenkins [7930]

**Agent:** Mr Jonathan Lambert [7926]

**Summary:**

Berkeley considers that the local plan must make provision to meet, as a minimum, the housing needs of the district in full to support economic growth, promote sustainable patterns of travel, reduce housing unaffordability and meet the housing needs of all sectors of the community, particularly first time buyers, the elderly and those who are unable to secure a home on the open market.

**Full text:**

Berkeley considers that the local plan must make provision to meet, as a minimum, the housing needs of the district in full to support economic growth, promote sustainable patterns of travel, reduce housing unaffordability and meet the housing needs of all sectors of the community, particularly first time buyers, the elderly and those who are unable to secure a home on the open market.

**Change suggested by respondent:**

Please see comments relating to Policy H1.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 5.2

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seek to understand Council's approach.] We seek to understand the Council's approach, the impacts on the A27, and who would be responsible for funding and delivering transport related mitigation measures, if neighbouring and other authorities are unable to meet Chichester's unmet needs (approx. 100 dwellings per annum in the southern plan area).

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway

authorities?

c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?

d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queuing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style.
  - o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

"Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

**Regulation 18 submission**

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

**Local Plan context**

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

**National Highways Representations**

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

**Summary**

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Background, 5.2

**Respondent:** Gladman Developments Ltd (Mr Rob Wilding, Senior Planner) [7816]

**Summary:**

Gladman have serious concerns that the Council are not planning to meet its housing needs in full.

The Council maintain that the 535dpa is based on detailed discussions with National Highways and the County Council as to what can be delivered within existing highway capacity. Whilst Gladman understands the concerns with regard to the need to improve local transport infrastructure, we note that the Council's latest Transport Study (published in January 2023) undertook a sensitivity analysis as to whether the core scenario that supports the 535dpa position in the Draft Local Plan could accommodate a higher level of growth. The conclusion in paragraphs 5.6.5 and 11.2.3 of the Transport Study 'concludes that in the main, the 700 dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535 dpa core test.'

**Full text:**

The Standard Method is a minimum annual housing need figure and should be considered a starting point. The PPG outlines that there are circumstances when it is appropriate to consider a higher housing requirement, including growth strategies, strategic infrastructure improvements, unmet need from neighbouring authorities or where previous assessments have indicated that need is significantly greater than the standard method indicates.

Draft Policy H1 seeks to provide a housing requirement for Chichester of 10,350 dwellings over the plan period 2021-2039, equivalent to 575 dwellings per annum (dpa). This comprises 535dpa in the southern area and 40dpa in the northern area of the district. This results in a shortfall of 63dpa over the course of the plan period, which equates to shortfall of 1,134 homes over the 18-year plan period.

Gladman have serious concerns that the Council are not planning to meet its housing needs in full. The Local Housing Need, as calculated by the Government's standard methodology, sets out an annualised housing requirement of 763 dwellings per annum for Chichester. As a significant portion of the district falls inside the South Downs National Park authority area, this reduces the annualised housing requirement by 125dpa. Therefore, this results in the LHN for Chichester district totalling 638dpa.

The reason given by the Council for not meeting needs is principally infrastructure capacity – in particular the A27 and the cost of the proposed improvements being beyond what can be provided through development and there being no other sources currently available. The Council maintain that the 535dpa is based on detailed discussions with National Highways and the County Council as to what can be delivered within existing highway capacity. Whilst Gladman understands the concerns with regard to the need to improve local transport infrastructure, we note that the Council's latest Transport Study (published in January 2023) undertook a sensitivity analysis as to whether the core scenario that supports the 535dpa position in the Draft Local Plan could accommodate a higher level of growth. The conclusion in paragraphs 5.6.5 and 11.2.3 of the Transport Study 'concludes that in the main, the 700 dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535 dpa core test.'

**Change suggested by respondent:**

See comments above

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 5.2

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

The very significant space constraints on the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that the Chichester area should be treated as a special case because of the developable land area been severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East West corridor.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.
14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Background, 5.2

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

CDC does not explain what other constraints has led to reduction in housing or specifically the decrease of housing in southern plan area and increase of housing in North of the Plan Area. CDC does not explain that Proposed Submission Local Plan significantly reduced housing planned for East-West Corridor Sub Area by 1,339 dwellings, for Manhood Peninsula decrease of 970 dwellings, compared with distribution proposed in Preferred Approach. For North of Plan Area trend was reversed, amount of housing increased from 489 dwellings to 679 dwellings.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

## Object

**Document Element:** Background, 5.3

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

Lack of reference to latest transport study conclusions in CDC Duty to Cooperate Statement of Compliance, and how this was accounted for in duty to cooperate discussions with adjoining LPAs; along with a lack of progress with adjoining LPAs SoCG, makes it difficult in the interim to conclude whether Council's legal duty has been met. Would respectfully wish to reserve the right to comment further on this once such evidence is available.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/smp>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** E Brown [7727]

**Summary:**

What is the source of 10,350? There is no national Government imposed housing target. Given the constraints of the SDNP, AONB need to preserve grade 1 agricultural land, conserve and protect wildlife corridors (on which CDC has committed to spend over £500m), how do you arrive at 10,350?

**Full text:**

I would like to understand from where the figure of 10,350 comes. There is no national Government target for housing. Per Michael Gove: "...the standard method [for assessing local housing need] does not provide a housing target. [...] it is used by councils to inform the preparation of their local plans, which local authorities are required to have. Councils decide their own housing requirement once they have considered their ability to meet their own needs in their area. This includes taking local circumstances and constraints, such as Green Belt and Areas of Outstanding Natural Beauty, into account [...] This recognises that not everywhere will be able to meet their housing need in full."

**Change suggested by respondent:**

Make Southern Water a statutory commenter/stakeholder/approver to ALL planning applications.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None



## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Mr Philip Nevil [7832]

**Summary:**

The plan puts more than nine hundred houses in the manhood peninsula.

However the plan fails to make provision for a cycle route alongside the a286.

Such a cycle route is needed if any more housing in the witterings is allowed, to reduce car travel at peak times.

Also there is nothing in the plan to stop more flooding in the manhood, without which no more housing should be allowed.

**Full text:**

The plan puts more than nine hundred houses in the manhood peninsula.

However the plan fails to make provision for a cycle route alongside the a286.

Such a cycle route is needed if any more housing in the witterings is allowed, to reduce car travel at peak times.

Also there is nothing in the plan to stop more flooding in the manhood, without which no more hosing should be allowed.

**Change suggested by respondent:**

A cycle route for commuters between Wittering and Chichester needs to be included.

New flood works to keep the sea out and rainwater away needs to be included.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Mrs Donna-Maria Thomas [7822]

**Summary:**

"Protecting and enhancing the unique and special qualities of our environment."

The special qualities of our environment are not being protected or enhanced by building on greenfield land when there are brownfield sites available. Chichester Harbour has already been adversely impacted by sewage outflows and there seems to be no detail in this plan for how the problem that already exists will be dealt with. Building 10,000 homes will exacerbate the impact of sewage outflows on Chichester Harbour, an AONB site of special scientific interest.

**Full text:**

"Protecting and enhancing the unique and special qualities of our environment."

The special qualities of our environment are not being protected or enhanced by building on greenfield land when there are brownfield sites available. Chichester Harbour has already been adversely impacted by sewage outflows and there seems to be no detail in this plan for how the problem that already exists will be dealt with. Building 10,000 homes will exacerbate the impact of sewage outflows on Chichester Harbour, an AONB site of special scientific interest.

**Change suggested by respondent:**

Fewer houses should be built in the area until there is a plan in place to stop sewage outflows which are having an adverse impact on Chichester Harbour.

Building houses on greenfield agricultural land sites should not be permitted whilst brownfield land is available.

building outside of designated settlement areas should not be permitted.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Mrs Donna-Maria Thomas [7822]

**Summary:**

Objection against housing number proposed on grounds of nitrate neutrality; wastewater pollution and treatment; road congestion; lack of guaranteed upgrades to road network; air pollution; unsustainability; lack of infrastructure; biodiversity implications; loss of greenfield/agricultural land; coalescence. See full submission and attachments.

**Full text:**

I am emailing as a member of the public who has been invited to make comments on the proposed new Chichester District Council Local Plan. Firstly, I have been invited to comment on whether the plan is legally compliant. With this in mind, I would question whether it is. I am aware that there is legislation which is designed to protect Chichester Harbour, namely, I believe, the Chichester Harbour Conservancy Act 1971. This legislation gives the Harbour Conservancy a duty to conserve, maintain and improve the harbour. In the proposed local plan it states: "4.120. In February 2018 the Chichester Harbour designated Site of Special Scientific Interest (SSSI) was downgraded from 'Unfavourable – recovering' to 'Unfavourable – no change'. Further assessment during 2019/20 found that more than 3000ha of the intertidal parts of Chichester Harbour were now 'Unfavourable – declining'. A specific policy is therefore required to address this issue. Nitrates finding their way into the Harbour (from a variety of sources) cause algal growth which is harmful to wildlife. Although the proportion of total nitrogen originating from new development is very small, it is important that this source is addressed whilst other measures, such as catchment management, are undertaken to reduce other inputs and recover wildlife."

Concerning nitrate mitigation, I note that the South Downs National Park Authority (SDNPA) are not able to guarantee any further land to offset nitrates and this will impact the number of houses which can be built in the area. The SDNPA has made this clear in the letter they have submitted in consultation regarding Policy A11 (attached). There are, I believe, several proposed sites in the local plan which will need to be able to show they have nutrient neutrality and at present, they cannot do this. With this in mind, I suggest that it would be wrong to propose the site referred to in Policy A11 and any other sites where this matter applies.

In addition to the issue of nitrates, there is also the issue of water pollution which is blighting the harbour. Building over 10,000 new houses in the district is going to exacerbate both nitrate and wastewater pollution. A study by Chichester Clean Harbours Partnership (attached) shows that at five sites which were tested within Chichester Harbour, all failed tests for E.coli and Feral Streptococci levels which suggests water quality in the harbour is being impacted by the constant outflows of sewage which are happening across the thirteen outlets which Southern Water control and discharge directly into the harbour. Last year's data shows that Southern Water spent over 19% of the year releasing untreated sewage into the Chichester Harbour waters. This is evidence that Southern Water is either unable or unwilling to cope with treating the wastewater generated by the housing in the district so to propose 10,000 further houses with no guaranteed upgrades to the wastewater treatment seems ludicrous and a dereliction of the statutory legislation designed to protect the harbour. For these reasons I would question whether the plan can be judged as legally compliant.

The second area I have been invited to consider is whether the proposed plan is 'sound'. To this, I would suggest that there are so many contradictions between what the plan proposes and what is found in the National Planning Policy Framework (NPPF), other consultation documentation and the plan itself that I believe the plan cannot be found to be sound. As an example two examples referred to above:

Allowing building to go ahead on land without being able to guarantee nitrate offset brings the plan into conflict with itself. (Policies NE12, NE13, NE19)

To allow building to go ahead which is guaranteed to increase sewage outflow into the harbour brings the plan into conflict with itself. (Policies NE12, NE13, NE16, NE17)

The focus of most of the plan seems to be on providing housing. However, the NPPF makes it clear that house building needs to be sustainable and include infrastructure in order to meet the economic objective and that there is an environmental objective to be considered both of which I do not believe this plan is meeting.

The proposed local plan does not include any guaranteed upgrades to the strategic road network but does refer to the fact that the congestion on the roads is a major concern for the residents of the Chichester District. (Proposed Local Plan Point 8.3) I am aware that the strategic road network is an issue outside of the Council's control but again, to propose adding 10,000 plus housing to the area when they are aware of the serious congestion problem seems nonsensical, especially now in the light of the government removing mandatory house building targets.

The main issue the Chichester District seems to have is that within the boundary, there is a large percentage of land which is protected from development as SDNP and AONB land. What this plan seems to be doing is trying to cram 90% of the original government-proposed allocation of housing into 23% of the land in the district. It stands to

reason that this will have a detrimental impact on the road network. In addition, Chichester District Council are aware that the major junctions on the A27 have been operating at capacity since the last local plan was written and in their transport assessment published in January 2023, they have made reference to the major junctions now all operating well over capacity (CDC Local Plan Transport Assessment 2039 Point 11.2.1) and have made reference to the fact that there has been no mitigation which was proposed in the previous local plan to most of the junctions (CDC Local Plan Transport Assessment 2039 Point 1.3.2). Therefore building more housing without guaranteed upgrades to the road network would seem both unfair to the residents and businesses who are already suffering the daily challenge of congestion and unethical in the light of the plan which contains several policies referring to minimising the climate crisis, reducing pollution and only allowing development which does not exacerbate congestion and road use. Once again this brings the plan into conflict with itself because the additional congestion is going to impact both pollution in general and air pollution specifically (Policies NE20, NE22)

The NPPF suggests that there is a presumption in favour of sustainable development but I would argue that trying to fit too many houses into a small, already over-congested area, is not sustainable and does nothing to enhance the lives of people who already live in the area. Of the three objectives in the NPPF (economic, social and environmental) this plan only seems to address the social objective of providing more housing. It does not address the economic objective because of the strain building 10,000 further houses will create on already weak infrastructure. More importantly, it does nothing to address the environmental objective because it will increase pollution and exacerbate problems with the sewage network and the road network which already exist.

In conclusion, with reference to whether the plan is sound, I do not believe it can be judged as sound because, aside from contradicting itself and not fulfilling the objectives outlined in the NPPF as I have highlighted above, the plan is not taking into account local people's wishes. There have been several action groups set up and demonstrations against further building in the area on the large-scale proposed here. Neighbourhood Plans have been completely disregarded and people in the area have genuine concerns about the impact of pollution on the harbour, the relentless building with no additional infrastructure and the detrimental impact of building on farmland and the implications for biodiversity and agricultural security as well as coalescence of our villages and strain on already overburdened resources such as doctors, schools and village shops.

I can speak concerning Policy A11 because this directly affects where I live but I will also try to highlight below other policies where I know the proposed sites conflict with what is in the neighbourhood plan and conflict with statements in the local plan.

Our neighbourhood plan has been ignored and the site proposed was the site deemed least suitable for development and conflicts with the statements in the local plan in the following ways:

- 1) The site is greenfield land and there is brownfield land available capable of being used for smaller-scale development (Burns Shipyard). This would appear to be the case with most of the proposed sites being greenfield land. (Policies A6, A10, A11, A12 A13 and A14). The NPPF states that where possible preference should be given to using brownfield land for development before allowing development on Greenfield or agricultural land.
- 2) The site is wholly outside of the Bosham settlement boundary which in the plan would define this as the countryside. The local plan states in Chapter 3, that development in the countryside should be 'restricted' to what is essential and meets the proposed needs as defined by policy NE10. The site chosen does not meet the criteria set in policy NE10 and proposing the site, therefore, puts it into contradiction with the plan.
- 3) The site proposed for Policy A11 is grade 1 and 2 productive agricultural land. The local plan states that it will seek to protect the best and most versatile agricultural land from large-scale, inappropriate or unsustainable non-agricultural development proposals that are not in accordance with the Development Plan. (Local Plan Point 4.8) However for the sites A1, A12 and A14 this does not seem to be the case. In the case of some of the land proposed from Policy A14, I believe the land has been compulsorily purchased from farmers. A large majority of the land proposed for development in the local plan is viable and productive agricultural land.
- 4) The site's overflow wastewater discharges from the Bosham outlet into the Bosham channel. This outlet has been the most compromised in 2022 and has discharged for the largest amount of hours out of all 13 outlets that discharge into Chichester Harbour.
- 5) The site proposed for Policy A11 has no proposed primary school provision. The local village school is at capacity and is unable to be expanded on its current site because there is no land available. Instead, the children from this proposed development will be expected to go to school outside of the village and this will inevitably lead to more cars on the roads as the proposed schools with places are not accessible by public transport or within walking/cycling distance. Again, this is a theme common to Policy A12.
- 6) The site proposed in Policy A11 suggests that the land is likely to suffer from groundwater and surface runoff flooding. The likelihood of flooding is greatest along the western boundary of the site which abuts the existing development of Brooks Lane. Brooks Lane already suffers periods of flooding. The NPPF says that new development should not increase the likelihood of flooding at existing developments.
- 7) The vehicle access to the A259 is via one vehicle access point only, which is likely to exacerbate air pollution at peak times with cars idling to access the A259.

8) The proposed additions to the village will be a fourth community hall, which there is no desire or need for and no end-user has been identified to maintain, allotments which were specifically proposed at the initial consultation and rejected as the least popular choice of an additional community facility and a mini football

pitch which has been hastily added and squeezed onto the site of inadequate size and with inadequate parking provision to make it a usable asset.

For all of these reasons, I believe that the proposed local plan cannot be judged to be sound. There were several hundred objections to Policy A11 and I believe there would be true for most of the sites proposed. Our local neighbourhood plans have not been taken into account when producing this plan and this is against what is stated in the NPPF which suggests that Neighbourhood Plans give communities the power to develop a shared vision for their area. (NPPF Point 29) The last area I have been invited to consider is if the proposed local plan meets the duty to co-operate. In this respect, I feel that the duty to co-operate seems to have been viewed as more a 'duty to consult' Whilst there has arguably been consultation between appropriate bodies and other local authorities, I do not believe the plan reflects the advice that has been given. Again, coming back to Policy A11 as an example the SDNPA, Chichester Harbour Conservancy, Southern Water and National Highways have all raised reservations about the proposed scale of development and the impact it will have on the Bosham area and local infrastructure. However, the reservations have not been heeded and the proposed development is still much the same as it was at the outset. Again, local plans have been ignored and local voices have not been heard. Whilst I am aware that the duty to co-operate is not a duty to agree, if every aspect of a consultation is ignored, I would argue this can hardly equate to co-operation.

In conclusion, I understand the importance of having a local plan and I understand the constraints that Chichester District Council is under due to the available land infrastructure constraints it faces which are largely outside of its control. However, because of the above, and that they have now been given the freedom to deviate from mandatory government house building targets, I would ask you to pay scrutiny to the number of houses in the proposed plan and recommend to Chichester District Council that they need to go back and rewrite the plan to reduce house building to a sustainable level of 23.5% of the government proposed allocation to reflect the percentage of land which is available in the district for development. I also recommend that there be a moratorium on further development in the district until the issues of water pollution by nitrates and sewage can be addressed and until there are the mitigation measures proposed in the transport assessment to allow for further house building.

#### Change suggested by respondent:

A moratorium on house building until wastewater and A27 road infrastructure upgrades are guaranteed and carried out.

A reduction in overall house building numbers in the district to reflect the 23.5% of land which is available for development bringing the proposed number of dwellings to 2699.

Removal of policy A11 from the proposed plan for the reasons listed.

Removal of policy A12 from the proposed plan for similar reasons listed as policy A11.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/s3f>

Supporting Document - SDNPA Letter - <https://chichester.oc2.uk/a/s3g>

Supporting Document - CHP Newsletter - <https://chichester.oc2.uk/a/s3h>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Mr Keith Meadmore [7837]

#### Summary:

Are you serious? Provision of fresh water?? Wastewater and sewage?? Environmental impact? Highways congestion? What part of West Sussex in 30 years won't be under water? Medical health and care capability? You have heard this all before. Enough is enough!

#### Full text:

Are you serious? Provision of fresh water?? Wastewater and sewage?? Environmental impact? Highways congestion? What part of West Sussex in 30 years won't be under water? Medical health and care capability? You have heard this all before. Enough is enough!

#### Change suggested by respondent:

The plan document should open by clearly explaining that no dwellings can be consented and until all the critical infrastructure imperatives are in place or are guaranteed to implemented in an aligned manner.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Consultation.pdf - <https://chichester.oc2.uk/a/sr3>

**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]**Summary:**

There is no longer a requirement to meet mandatory housing targets set by the government. 73% of the District is classified as SDNP, a further 3.5% occupied by the AONB. This land is protected against development. Housing proposed will have an adverse effect on the water quality of Chichester Harbour. The strategic road network has no capacity. CDC would be justified in taking the government-allocated figure for housing and reducing it by 76.5%. building 23.5% of the housing allocation to equate to the percentage of land available. The government target was 638 houses per year from 2021-2039 or 11,484 houses. This would equate to 2,699 houses, not the 10,354 proposed. Neighbourhood Plans seem to have been ignored.

**Full text:**

There is no longer a requirement to meet mandatory housing targets set by the government. 73% of the Chichester District is classified as SDNP, a further 3.5% occupied by the AONB. This land is protected against development. Chichester District Council would be justified in taking the government-allocated figure for housing and reducing it by 76.5%. building 23.5% of the housing allocation to equate to the percentage of land available. The government target was 638 houses per year from 2021-2039 or 11,484 houses. This would equate to 2,699 houses, not the 10,354 proposed. Neighbourhood Plans seem to have been ignored.

**Change suggested by respondent:**

Change the allocated number of houses in the plan to 2,699 (23.5% of the government allocation)  
Use neighbourhood plans to decide on which developments will be used.

The government document online relating to the change in mandatory house building targets states, 'The Bill will strengthen opportunities for people to influence planning decisions that affect their immediate area. We will give increased weight to neighbourhood plans to ensure the efforts of local communities to produce them bear fruit, introduce Neighbourhood Priorities Statements as a means for communities to formally input into the preparation of local plans, and allow residents to bring forward the development they want to see on their street through innovative new 'street votes.' The wider review of the Framework next year will support this.'

<https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-nationalplanning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

There is large scale opposition to the continued development in the area and the squeezing of houses allocated into a small space. Local people's views need to be taken into account.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Mr Roger Weymouth [7888]**Summary:**

Object to housing number. Ten thousand odd dwellings squeezed into approximately 20% of the available land space. Lack of infrastructure to support new development. Loss of agricultural and greenfield land.

**Full text:**

I have read the plan, all of it, and the biggest thought that comes into my mind is that there appears to be very little promised...

What appears to be guaranteed/promised

Ten thousand odd dwellings squeezed into approximately 20% of the available land space.

What is not guaranteed/promised

No new roads or traffic congestion mitigation. The roads around Chichester and the surrounding areas are at capacity already and have been for some time, (Transport assessment Jan 2023) with the exception of the Covid lockdown period. My business involves engineers driving to visit customers in and around this area are a considerable amount of the working day is wasted in traffic congestion. At not an inconsiderable cost. For example, one of my engineers lives in Bognor Regis and what was a 35-minute journey to work - in Bosham - now takes 60 minutes. 60 minutes. More frequent flooding and closures of roads exacerbate this and the new Free school sited on Hunston Road, has compounded the misery. Of course, these delays that everyone experiences only compound the pollution issue as well. This can only get worse with the additional promised housing in the area. Working in and around the area will be chaos.

No new sewage infrastructure is guaranteed for the foreseeable future.

Chichester Harbour and the streets of Bosham are regularly filled with sewage that overflows whenever there is rain. According to Southern Waters' own Beach Boy App data, there are regular non-stop discharges of Sewage into Chichester Harbour. There is nothing in the plan to stop this and Southern Water themselves say that they don't have the capacity to deal with the wastewater at present, let alone with another Ten Thousand houses built in the medium term. All the E.Cioli levels in the Harbour are already above acceptable levels as advised by the Environment Agency. Table enclosed - figures supplied by the Clean Harbour Partnership.

Attached is the document that explains this testing

No doctor surgeries

None planned

No new schools for the majority of these new housing developments

So despite the positive language of the Plan, there are no plans to provide any new schools for that area, except for the Tangmere proposed development. So in the absence of such plans, I have to ask where in the area are. I don't know about the availability of school places around the area except for Bosham and Chidham where there are none.

General observations

There don't appear to be many proposed developments for this housing on Brownfield sites. All the major developments in the area appear to be on Grade 1 and 2 agricultural land. Some of which, i.e. Highgrove Farm, which is outside the settlement boundary, appears against National Planning Policy Guidance and local opinion.

So in conclusion, this Plan appears to be solely a cash-generating exercise by Chichester District Council, with income derived from Section 106/CIL levies and forecasted Council Tax receipts, which gives no apparent regard, or only Lip Service, to the quality of life and areas of natural beauty for the existing residents and proposed new residents. It is not a really well thought out plan, not joined up at all with the needs and requirements of the local and separate Utilities and Government agencies such as Transport.

I am not against new housing generally. I'm sure there is a need for future generations and increased population in the County, But this cannot be allowed without all the other facilities that should come along with new housing. This Plan does not plan for that. If there is no funding available to upgrade these facilities, then I can't see how it is sensible to allow more new housing on this scale.

Yours sincerely Roger Weymouth

Dear all (Sent local councillors, responses removed)

I've looked at some possible "road improvements" notably one just outside Tesco which looks like there will be a possibility of multiway lights and a new junction but removing an existing one coming onto the roundabout from the industrial site. Just makes me wonder how much busier this junction will be if they feel the need to re-do the junction. I cannot see how a traffic light system will improve anything and this strikes me as a case of trying to polish a turd. There will just be too much traffic because of ill-thought-out planning and too many new houses but minus the traffic network improvements required. I also read somewhere that a model or something shows that if there are no improvements to this area, it will result in a 29-minute wait time at the Tesco roundabout for traffic coming from Bosham way at AM and PM peak times. 29 minutes! Are the planners trying to destroy the quality of life around these parts?

I do not hold much hope for real improvements to the road network, if, after any housing gets the go-ahead in this plan. I quote a paragraph from the Chichester District Council Duty to Co-operate Statement (May 2014). Item 3.10 it states " The Highways Agency is confident that the works on the A27 Chichester Bypass required to support development set out in the Local Plan can be delivered.

The Stantec Chichester District Council Local Plan Transport Assessment (Jan 2023) states:

• "The adopted Chichester Local Plan (LP) 2014-2029, included a set of mitigation measures at the 6 principal junctions along the A27 corridor. Although there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

So it seems that all this was promised back then and then shelved and the road network is now pretty much unusable on a daily basis, despite the promises of the Highways Agency. So we have a situation where we all try and bypass the Bypass

I would have thought that any new developments, roadworks etc are meant to be progress, or progressive. Not regressive to the local community and those of us who work in the area.

Perhaps there needs to be a moratorium on all new housing in the district until guaranteed measures are in place to improve the road network. This is not guaranteed in the plan. (Point 8.5)

**Change suggested by respondent:**

Modify the plan to a fewer number of houses.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Weymouth attachment CHP Newsletter Jan 2023 final22383 (002).pdf - <https://chichester.oc2.uk/a/ss6>

## Support

**Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Mr Roderick Kynoch [7906]**Summary:**

i have conducted my veterinary practice from the current site which is located in Priors Leaze Lane Nutbourne, for the last 40years. Obviously, if the surrounding fields are made available for housing this would greatly enhance my business apart from providing affordable homes for local residents.

**Full text:**

i have conducted my veterinary practice from the current site which is located in Priors Leaze Lane Nutbourne, for the last 40years. Obviously, if the surrounding fields are made available for housing this would greatly enhance my business apart from providing affordable homes for local residents.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Loxwood (Mellow) Ltd [7870]**Agent:** Ms Megan Smith [7858]**Summary:**

Whilst we acknowledge the constraints of the A27 to the Southern Plan Area, these constraints are not as limiting in the North of the Plan Area, to justify a housing supply of 40 dwellings per annum (679 total).

It is therefore considered that a higher number of dwellings should be allocated to the North of the Plan Area, by increasing the settlement boundary of sustainable settlements such as Loxwood and Kirdford, in order to help the District achieve the objectively assessed housing need of the district.

**Full text:**

Please refer to attached supporting document. Policy H1 is discussed on page 11.

**Change suggested by respondent:**

-

**Legally compliant:** No**Sound:** No**Comply with duty:** No

**Attachments:** 7093 - PL-15A - Location Plan.pdf - <https://chichester.oc2.uk/a/srb>  
Written representation letter - <https://chichester.oc2.uk/a/s3m>

**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Ms Megan Smith [7858]**Summary:**

Object to the proposed plan area total of 10,359 and seek to point out that this figure is too low when compared to the data provided within the HEDNA (April 2022). The Council should be meeting the objectively assessed housing need of 638 dwellings per annum. Whilst we acknowledge the constraints of the A27 to the Southern Plan Area, these constraints are not as limiting in the North of the Plan Area, to justify a housing supply of 40 dwellings per annum (679 total). It is therefore considered that a higher number of dwellings should be allocated to the North of the Plan Area, by increasing the settlement boundary of sustainable settlements such as Loxwood and Kirdford, in order to help the District achieve the objectively assessed housing need of the district.

**Full text:**

We acknowledge that Chichester District Council is positively attempting to address housing need within the District. However, we object to the proposed plan area total of 10,359 and seek to point out that this figure is too low when compared to the data provided within the HEDNA (April 2022). Ultimately, the Council should be meeting the objectively assessed housing need of 638 dwellings per annum. The supporting text for Policy H1 reads: 'constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method, of 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039.' Whilst we acknowledge the constraints of the A27 to the Southern Plan Area, these constraints are not as limiting in the North of the Plan Area, to justify a housing supply of 40 dwellings per annum (679 total). It is therefore considered that a higher number of dwellings should be allocated to the North of the Plan Area, by increasing the settlement boundary of sustainable settlements such as Loxwood and Kirdford, in order to help the District achieve the objectively assessed housing need of the district. Loxwood, in particular, is a highly sustainable settlement that the Draft Local Plan has allocated a minimum of 220 dwellings (Policy H2 – Strategic Locations / Allocations) over the plan period. Loxwood is a 'service village' that has been recognised by the Council to be a highly sustainable, with sufficient services and facilities, including a school, GP surgery and is well served by public transport. Within the Sustainability Appraisal (January 2023), the highest growth scenario allowed for 1,050 dwellings in Loxwood, with the middle scenario allowing 450 dwellings. As such, there is significant capacity for allocations within Loxwood and a greater housing provision of a minimum of 300 dwellings, should be provided, based on the findings of the Sustainability Appraisal, in order for Chichester to meet the objectively assessed housing need (OAHN). We argue that to prepare a 'justified', 'effective' and 'consistent' Local Plan, the District needs to increase the housing provision of the North of the Plan Area, through the specific allocation of sites at a District level.

**Change suggested by respondent:**

Meet OAN  
Allocate more sites in North of the Plan area.

**Legally compliant:** No**Sound:** No**Comply with duty:** No

**Attachments:** 7093 - PL-15A - Location Plan.pdf - <https://chichester.oc2.uk/a/sry>  
Written representation letter - <https://chichester.oc2.uk/a/s4s>

**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Mrs Jane Towers [7058]**Summary:**

Housing number should be lower

**Full text:**

I do not consider the location of most of the development to be well located. Both Tangmere and Southbourne are outside the city, Southbourne by a distance of 6 miles. There is insufficient evidence to show that there will be any modal shift to alternative forms of transport than the car. Transport links are poor and the distances too great for most people to walk or cycle. Cycling links to the city from both Tangmere and Southbourne are poor. Public transport is irregular, infrequent and expensive.

**Change suggested by respondent:**

Reduce the housing number

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** None**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Artemis Land and Agriculture Limited [7943]**Agent:** Mr Jack Allenby [7942]**Summary:**

There are no exceptional circumstances to justify the proposed shortfall of housing supply against minimum local housing need.

There is evidence to support additional sites for housing, including at Crouchlands Farm.

The policy is therefore unsound on the basis it is not positively prepared or justifiable when accounting for all reasonable alternatives.

**Full text:****A. SUMMARY AND CONCLUSION**

1. The Council's emerging Local Plan is unsound as:

- proposed Policy S1, Spatial Development Strategy (Appendix LPD1, page 38-39), focuses most future growth in the south of Chichester district in an area that is highly constrained in planning terms, with only a moderate amount of growth proposed in the North of the Plan Area which is objectively and comparatively less-constrained;

- proposed Policy H1, Meeting Housing Needs (Appendix LPD1, page 100), sets out a total housing supply of 10,359 homes for the plan period of 1 April 2021 to 31 March 2039, equivalent to 575 homes per year (an already capped figure due to highway constraints in the south). This is a shortfall of 1,134 homes for the plan period, or 63 homes per year, against the Council's minimum local housing need as calculated by the Government's standard housing method and set out in the Council's Housing and Economic Development Needs Assessment (Appendix LPD2, page 42);
  - the Council proposes a similar spatial strategy and shortfall in supply of housing against its full housing need to that for the previous (adopted) Local Plan (Appendix LPD3, pages 40 – 41, and 49). This has resulted in the Council being unable to demonstrate a five year housing land supply and manage proposals for speculative development, reflected in some 87% of new housing coming from windfall sites (Appendix LPD4, page 12), so is proven to be unsound;
  - despite the historic and proposed shortfall in its housing supply, the Council presents insufficient evidence to demonstrate that the impacts of meeting more of the local housing need would significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework (2021), taken as a whole;
  - the Council's Sustainability Appraisal (Appendix LPD5, page 26) assesses growth scenarios in the North of the Plan Area. A growth scenario including Crouchlands Farm for 1,114 homes (or 62 per year) is found to be most sustainable (Appendix LPD5, page 34) but is discounted without clear and robust reasoning, and a blended growth scenario for 720 homes (or 40 per year) is proposed in the Local Plan (Appendix LPD5, page 40). It is wholly unclear how the Council has arrived at its decision;
  - the Water Neutrality Mitigation Strategy (Appendix LPD6, page VI) and Emerging policy NE17 (Appendix LPD1, page 89) allows for 1,796 homes in the North of the Plan Area, of which scenarios 1a and 2a, including Crouchlands Farm, are less than. Water Neutrality is therefore not a constraint when considering a higher level of development in the North of the Plan Area; and
  - Crouchlands Farm was also assessed in the Council's Housing and Economic Land Availability Assessment (Appendix LPD7, page 134) as being suitable, achievable and available for rural enterprise-led development / residential mix of up to 600 homes (HELAA ID HPI009).
2. The emerging Local Plan, therefore, is unsound due to it not being positively prepared by the Council in proposing a shortfall of housing supply against its minimum local housing need, where there are no exceptional circumstances to justify this, as well as there being evidence to support additional sites for housing, including at Crouchlands Farm. There is no coherent basis for the Council not taking forward Crouchlands Farm to increase future housing supply given the shortfall.
3. As a result, the Council should be asked to allocate more sites to help bridge the gap in the extent of its housing shortfall and Crouchlands Farm should be considered the obvious first choice given the deliverability of Rickman's Green Village, as demonstrated by the Council's evidence base (Appendix LPD5, page 34, and Appendix LPD7, page 134).
4. In addition, a wealth of technical work has been undertaken to prepare and submit three planning applications for Rickman's Green Village (Chichester District Council reference 22/01735/FULEIA, 22/03114/FULEIA, and 22/03131/OUTEIA) that are currently awaiting determination. These applications further demonstrate the suitability of Crouchlands Farm as a highly sustainable site, capable of delivering up to 600 homes alongside a primary school (or other suitable community facility), village hub with farm shop, cookery school, glamping and retail and commercial units, and open space provision, such that it should be allocated in the emerging Local Plan.
5. Artemis, or a representative thereof, therefore wishes to participate in the future hearing sessions for the emerging Local Plan. It is considered that as Crouchlands Farm is the only specific alternative considered in the Sustainability Appraisal, it merits its own hearing session.

## B. EMERGING LOCAL PLAN ANALYSIS

### Introduction

6. This representation has been prepared by DLBP Ltd, on behalf of Artemis Land and Agriculture Limited ("Artemis"), to object to the soundness of the Chichester Local Plan 2021-2039: Proposed Submission ("the emerging Local Plan") prepared by Chichester District Council ("the Council") for public consultation between 3 February to 17 March 2023 under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
7. Artemis is the owner and operator of Crouchlands Farm, Rickman's Lane, Plaistow, Billingshurst, West Sussex RH14 0LE, a 197 hectare livestock farm in the north of Chichester district partly proposed as the site of a new settlement, known as Rickman's Green Village.
8. The representation is based on the adopted National Planning Policy Framework (2021). There is a draft version currently being consulted on, but even if approved as drafted, it will not apply to a Local Plan that has reached Regulation 19 at this point. Therefore, the draft policies are not referred to.
9. In the interests of conciseness, the appendices list is not exhaustive. For example, only a selection of the planning applications documents, or executive summaries of these, have been included. The planning applications are available on Chichester District Council's website (planning refs 22/01735/FULEIA, PS/22/03114/FULEIA and 22/03131/OUTEIA), or a full suite of documents can be provided upon request.

### Spatial Strategy

10. Proposed Policy S1, Spatial Development Strategy (Appendix LPD1, page 38 – 39), is unsound.
11. Proposed Policy S1 builds on the spatial strategy of the previous (adopted) Local Plan (Appendix LPD3, page 40 – 41) by focusing growth in the south of the District on sites in and around Chichester city, and the east-west corridor. The south of the district, however, is known to be highly constrained in planning-terms. Key constraints identified by the Council are the (lack of) capacity of the A27, flood risk, and the need to protect environmental designations, landscape quality, the historic environment and settlement character (Appendix LPD1, paragraph 3.5).
12. Due to the constraints in the south, in particular capacity issues of the A27, the Council proposes a moderate level of growth in the North of the Plan Area.
13. Previous advice from the Planning Inspectorate (Appendix LPD8, page 4) concluded that the Council should reassess its adopted spatial strategy and distribution of development in other parts of the District to establish whether the housing need could be met in another way. The emerging Local Plan, however, does not reassess the distribution of development sufficiently.
14. Proposed Policy S1 is unsound as the Council's evidence base demonstrates that additional housing could be delivered in the comparatively less-constrained North of the Plan Area, including at Crouchlands Farm, so the proposed policy is not positively prepared, and nor is it appropriately justified. This is expanded upon further below.



## North of the Plan Area

15. Proposed Policies A15, Loxwood (Appendix LPD1, page 260) and H3, Non-Strategic Parish Housing Requirements 2021 – 2039 (Appendix LPD1, page 103) are also unsound.

16. The emerging Local Plan proposes one allocation for housing in the North of the Plan Area, Policy A15, Loxwood, for a minimum of 220 homes to come forward over the plan period, all through the neighbourhood plan process.

17. Proposed Policy H3 sets out non-strategic targets for 25 new homes to be delivered over the plan period in Plaistow and Ifold Parish, 50 in Kirdford Parish, and 75 in Wisborough Green, all through neighbourhood plans (of which Plaistow and Ifold does not even have a draft Neighbourhood Plan) or subsequent development plans (which have not even begun preparation yet).

18. It is clear, when looking at the District's population data alone that the North of the Plan area should, proportionately, take on more housing. This is because:

- the population for the entire District (excluding the South Downs National Park area) is 89,982, which comprises 8,396 in the North of the Plan Area and 81,586 in the remaining south of the District;
- the emerging Local Plan proposes 10,359 homes over the Plan period, comprising 370 in the North of the Plan Area and 9,989 in the remaining south of the District;
- if the proposed housing was to be distributed evenly across the District, one home should be allocated per 11.5 people. An even distribution would therefore result in 966 homes in the North of the Plan Area;
- however, the Local Plan only proposes 370 homes in the North of the Plan Area. This is a shortfall of 596 homes against what should be provided (966 homes) if it were to be evenly distributed, which equates to a 161% shortfall.

19. Proposed Policies S1, H3 and A15 should be found unsound due to there being evidence (set out in the Council's own evidence base and within this representation) demonstrating that additional housing could be delivered in the North of the Plan Area to meet future needs, particularly in the parish of Plaistow and Ifold at Crouchlands Farm.

20. Furthermore, proposed Policies S1, H3 and A15 are unsound as they are not justified or effective, but are overly reliant on the delivery of additional homes in the North of the Plan Area on sites allocated in neighbourhood plans for the respective parishes when there is no evidence to demonstrate that any sites are likely to be allocated, nor even that neighbourhood plans will be prepared by each of the parishes in the plan period. For example, proposed Policy H3 seeks to deliver 25 new homes in Plaistow and Ifold parish, however work to prepare its neighbourhood plan has ceased indefinitely.

## Sustainability Appraisal

21. The Council's Sustainability Appraisal (Appendix LPD5, page 34) considered the following six growth scenarios to determine the number of homes to be delivered across the four parishes (Kirdford, Loxwood, Plaistow and Ifold, Wisborough Green) in the North of the Plan Area:

- i) 1, lower growth of only the four parishes providing 514 homes (29 homes per year);
- ii) 1a, lower growth of the four parishes plus Crouchlands Farm, providing 1,114 homes (62 homes per year);
- iii) 2, higher growth of only the four parishes, providing 1,139 homes (63 homes per year);
- iv) 2a, higher growth of the four parishes plus Crouchlands Farm, providing 1,514 homes (84 homes per year);
- v) 3, highest growth of only the four parishes, providing 1,964 homes (109 homes per year); and
- vi) 3a, highest growth of the four parishes plus Crouchlands Farm, providing 2,564 homes (143 homes per year).

22. The Council's Sustainability Appraisal concluded that the Council is supportive of a blend of Scenarios 1 and 2 (Appendix LPD5, page 40).

23. To reflect this, proposed Policy H3 Non-Strategic Parish Housing Requirements 2021 – 2039 (Appendix LPD1, page 103) therefore seeks:

- i) lower growth at Kirdford (50 homes) and Plaistow and Ifold (25 homes) on unallocated sites; and
- ii) higher growth at Loxwood and Wisborough Green through a combination of one allocated site for 220 homes (proposed Policy A15) and other unallocated sites (75 homes).

24. However, Figure 1 of the Council's Sustainability Appraisal (Appendix LPD5, page 34), above, very clearly shows that scenario 1a (lower growth of only the four parishes plus Crouchlands Farm) scores the best overall i.e., is the most sustainable option. This is due to scenario 1a scoring highest in regard to the site's accessibility, communities and health, lack of heritage constraints relative to the other scenarios, as well as lack of landscape constraints relative to the other scenarios.

25. With regards to the analysis of the remaining criteria:

- Air Quality and Environmental Quality; Biodiversity; Land, Soils and Resources – whilst we appreciate the information may not be available for the 'other areas' accounted for in each growth scenario, the scoring does not reflect the information within the three planning applications at Crouchlands Farm (e.g. Ecological Impact Assessments (Appendices RGV17 and RGV18), Air Quality Assessments (Appendix RGV8 – RGV10), Environmental Impact Assessments (Appendices RGV21 and RGV22), Agricultural Land Classification Assessment (Appendix RGV7), Land Quality Assessments (Appendices RGV26 and RGV27, etc));
- Housing – the scoring for this category is inconsistent with the other criterion, as it does not exclude option 3a from the ranking. For example, Scenario 1a should therefore score 4, rather than 5, if based purely on the quantity of homes. But page 4 of the Sustainability Appraisal (Appendix LPD5) confirms that the objective is to (our emphasis): "deliver suitable, well designed, energy efficient and affordable housing to meet local needs, in safe and accessible neighbourhoods with mixed and balanced communities". In the absence of supporting evidence on the qualitative elements of this objective, other than at Crouchlands Farm, the method of scoring this criteria is unsound as it does not meet the full objective. When considering the high-quality design of homes at Crouchlands, it is clear that scenarios 1a and 2a should in fact score higher; and
- Economy, employment – the Sustainability Assessment fails to acknowledge the economic benefits proposed at Crouchlands Farm, which will have a significant economic benefit for Chichester District Council and the wider area. This is demonstrated in the Economic Impact Assessment submitted with planning application (Appendix RGV19). A second Economic and Social Value Impact Assessment as also been submitted which considers the scenarios of the whole of the proposal (Appendix RGV20), but we wholly appreciate that the Council did not have access to this at the time of preparing the Sustainability Appraisal.

26. There is a clear disconnect between the scoring of the scenarios, how each scenario and Crouchlands Farm has been assessed by the plan-maker, and how the conclusion to proceed with a blend of scenarios 1 and 2 has been made. Page 34 of the Sustainability Appraisal (Appendix LPD5) clearly states that it "is undertaken without any assumptions regarding the degree of importance, or 'weight', that should be assigned to each of the topics in the 'planning balance'. It is only the Council, as the decision-making authority, that is in a position to arrive at an overall conclusion on the best performing growth scenario on balance". One must therefore assume that the Council has assigned more importance and weight to certain criteria of the scoring. But there is a clear lack of explanation of this weighting exercise, so the results of the testing is not justified.

27. The Council's reasoning for supporting a blend of scenarios 1 and 2 at section 7.3 of the Sustainability Appraisal (Appendix LPD5, page 40) is therefore wholly unclear, not justified, and is unsound.

28. In summary, the Council's position is that:

- the government's standard housing methodology determines an objectively assessed need of 638 dwellings per annum, or 11,484 over the plan period (which is a capped figure at 40% above the 'baseline' need figure);
- the figure is then capped further to the plan area as a whole to 575 dwellings per annum, because:
- capacity constraints associated with the A27 in the south of the plan area results in a resolution that there is capacity for no more than 535 homes per year in the south (i.e. a further capping of its proposed supply);
- this means that 103 homes per year need to be made up in the North of the Plan Area, or 1,854 homes over the plan period;
- a growth scenario (1a) including Crouchlands Farm for 1,114 homes (or 62 per year) is found to be most the sustainable option in the Sustainability Appraisal when considering the score of figure 1 above (Appendix LPD6, page 34) but is discounted without clear and robust reasoning;
- the Council thus proposes only 40 homes per year in the North of the Plan Area due to 'wide ranging planning reasons'.

29. This is wholly unsubstantiated as it means that there is a shortfall of 63 homes per year, or 1,134 homes over the plan period. Also:

- the Sustainability Appraisal (Appendix LPD5, page 16) sets out that water neutrality has implications for the growth quantum in the North of the Plan Area, so this area cannot accommodate the full 63 homes per year (which is already a capped figure);
- but the Water Neutrality Mitigation Strategy (Appendix LPD6, page 15, table 3.1), and the Sustainability Appraisal (Appendix LPD5, page 16), both confirm that the North of the Plan Area can accommodate 1,796 homes (circa 100 homes per year);
- and even if a suitably precautionary approach is taken (considering fewer homes, by 5% or 10%), 5% fewer homes would equate to 1,706 homes, and 10% fewer homes would equate to 1,616 homes;
- therefore, even with the highest buffer (10%) applied, 1,616 homes could be accommodated in the North of the Plan Area over the plan period (circa 90 homes per year). This means that almost the entirety of the actual shortfall (1,854 homes) could be reached in the North of the Plan Area.

30. We accept that the 1,854 homes required to be made up in the North of the Plan Area cannot be accommodated, due to water neutrality constraints and so scenarios 3 and 3a are discounted.

31. However, scenarios 1 (514 total homes), 1a (1,114 total homes), 2 (1,139 total homes), and 2a (1,514 total homes) would all be below the most precautionary approach taken to water neutrality constraint. Taking the highest growth scenario 2a (with Crouchlands Farm), there would still be headroom of 102 homes in terms of the Water Neutrality Mitigation Strategy.

32. Therefore, water neutrality cannot be the determining constraint for discounting scenarios 1a or 2a from the Sustainability Appraisal (Appendix LPD5).

33. Therefore, there is very limited explanation about what the "wide ranging planning reasons" are, and how the resulting shortfall has been reduced from 103 homes per year to 40 homes per year in the North of the Plan Area. Three examples are referenced (with our comments in bold):

- the rurality of the area – whilst we appreciate and wholly recognise this is a designated Rural Area under Section 157 of the Housing Act 1985, so are many of the sites in the south of the plan area that already have, and are planned to, accommodate significant growth. But other than this, a large part of the North of the Plan Area, including Crouchlands Farm, is unconstrained – it is not in the Green Belt, an Area of Outstanding Natural Beauty, a Special Area of Conservation, a Site of Special Scientific Interest, or other constraints. This is accepted by the Council at page 34 of the Sustainability Appraisal (Appendix LPD5);
- the entire area falls within a constrained water resource zone – this is not a constraint. The Council's own proposed Policy NE17 contradicts this reasoning, as clearly sets out how developers can provide evidence that new development will be water neutral. In addition, Natural England's Mitigation Strategy (Appendix LPD6, page V - XI) identifies the area as having capacity for 1,784 homes, and growth scenarios 1, 1a, 2 and 2a would all allow for headroom when considered against this (see paragraphs 28 – 32 above); and
- transport-related barriers to growth, whereby Waverley Borough and Horsham District have raised concern – as set out in Section C below, the planning applications at Crouchlands Farm contain a wealth of transport assessments and evidence that there are suitable, reasonable, and proportionate ways of mitigating this. Horsham District and Waverley Borough Councils and have not raised objection to the planning applications, either on transport or any other grounds (Appendices RGV40 and RGV41, respectively). Paragraph 5.2.33 of the Sustainability Appraisal (Appendix LPD5) accepts that the strategic growth options, i.e. Crouchlands Farm, have merit in transport terms.

34. Further details of the Council's assessment of Crouchlands Farm in the Sustainability Appraisal (Appendix LPD5) are set out in Section C of this representation, alongside our response to each of the points raised by the Council.

40 homes per year

35. A meeting was held between the Council and an Advisory Inspector in October 2022 (Appendix LPD9). This precedes the publication of the Sustainability Appraisal (Appendix LPD5), the growth scenario testing, and the Water Neutrality Mitigation Strategy (Appendix LPD6), which have since concluded that development of up to 1,796 homes can be sustainably achieved in the North of the Plan Area over the plan period. The Sustainability Appraisal (Appendix LPD5) excluded scenario 3a on the basis of this being exceeded (page 26).

36. Nevertheless, paragraph 5 of the Advisory Inspector's notes (Appendix LPD9) states "[...] the Council consider[s] a housing requirement below the need derived from the standard method (some 535 dwellings per annum (dpa) in the southern plan area and the potential for a further 40 dpa in the northern plan area compared to 638 dpa)". And paragraph 9 lists a number of potentially constraining factors (e.g. limited public transport, limited facilities, water neutrality etc), which the Advisory Inspector states (our emphasis): "appear to support the Council's position that a maximum of 600-700 homes could be delivered over the Plan period (or around 40 dpa)."

37. However, it is unclear what evidence informed the figure of 40 homes per year in the Advisory Inspector's note, particularly as:

- none of the scenarios in the Sustainability Appraisal specifically tested a 40 homes per year scenario; and
- the Water Neutrality Mitigation Strategy, restricting development in the North of the Plan Area to 1,796 homes was not published until December 2022.

38. It is also unclear how the proposed figure of 40 homes per year is reached as a blend of scenarios 1 and 2. For example, when calculating the completions (54), commitments (198), windfall (62) figures at table 5.5, plus the 220 homes at Loxwood, 25 homes at Plaistow and Ifold, 50 homes at Kirdford, and 75 homes at Wisborough Green, the total amounts to 684 homes over the plan period, or 38 homes per year.

39. Despite this, the Emerging Local Plan (Appendix LPD1, pages 99 and 100) sets out a figure of 40 homes per year over the plan period (679 homes in total), accounting for completions, commitments as of December 2022, windfall, allocation at Loxwood, and non-strategic allocations at Kirdford, Plaistow and Ifold, and Wisborough Green. This is contrary to the results of the Sustainability Appraisal.

40. In a previous meeting with the Advisory Inspector regarding water neutrality (September 2022, Appendix LPD10), the Inspector confirms that, prior to submission of a plan (our emphasis added):

"the Inspectorate can only provide advice based on national planning policy and guidance, along with our own personal experience. While it is possible to explore issues in advisory meetings it is not possible to say definitively that the approaches taken will lead to a sound plan. That's because ultimately

each plan will be considered by an Inspector who has been appointed to carry out an independent examination. In doing so they will consider all the evidence to justify the plan, the representations and what was discussed at the hearing sessions.”

41. It is therefore not sufficient reasoning for the Council to submit the Emerging Local Plan, using a blend of scenarios 1 and 2 that happen to match a 40 homes per year figure in the North of the Plan Area, on the basis of the Advisory Inspector’s commentary in October 2022 (Appendix LPD9), which preceded the issuing of the Water Neutrality Mitigation Study (Appendix LPD6) and the Sustainability Appraisal (Appendix LPD5). One can assume there has been no examination of evidence by the Advisory Inspector, just commentary based on the Council’s own - unsound - narrative.

42. For the above reasons, the Council has therefore not positively prepared or justified the reasons for limiting growth in the North of the Plan Area to 40 homes per year.

#### Development Plan Infrastructure Panel

43. The Sustainability Appraisal (and commentary at the Special Cabinet and Full Council meetings held on 23 and 24 January 2023) makes references to conversations held and decisions made by the Development Plan Infrastructure Panel. A Freedom of Information request was submitted to request the minutes of these meetings, and the response was that the meetings are confidential and so the minutes would need to be heavily redacted.

44. The transparency of this is in question. While the meetings may not be ‘public’ in the sense that the public can attend and watch, the meetings relate to a document that is in the public domain and subject to public consultation, and so there should be transparency into how the decisions and conclusions have been made and justified.

45. In light of the above, proposed Policies S1, H1, and H3 are unsound for not being positively prepared or justified, directing insufficient growth in the North of the Plan Area where there is evidence to support the allocation of additional housing in a more-sustainable way, by including Crouchlands Farm.

#### Housing Need

##### Shortfall of supply

46. Proposed Policy H1, Meeting Housing Needs (Appendix LPD1, page 100), is unsound.

47. Paragraph 61 of the National Planning Policy Framework (2021) sets out that “to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach”.

48. The Council’s Housing and Economic Development Needs Assessment (Appendix LPD2, page 42) identifies a housing need of 763 homes per year based on the Government’s standard method. That figure comprises 125 homes per year for the part of the district in the South Downs National Park and 638 homes per year for the remainder of the district (the plan area). This equates to a total requirement for 11,484 new homes for the plan period of 1 April 2021 to 31 March 2039.

49. Proposed Policy H1, however, sets out the total housing supply of 10,359 homes for the plan period, which equates to 575 homes per year. This is a shortfall in supply of 1,134 homes, or 63 homes per year, against the minimum local housing need as calculated by the Government’s standard method.

50. The Council attempts to justify the proposed shortfall in housing supply due to key constraints in the south (the A27, flood risk, environmental designations) and the north of the district. In the north, the Council identifies key constraints to be the protection of environmental designations, landscape quality, historic environment and settlement character, and water neutrality (Appendix LPD1, paragraph 3.5).

51. We note that this was echoed by the Planning Inspectorate in a Local Plan Advisory Meeting, held on 5 October 2022, who found that: “The northern area is not constrained by the capacity of the A27 but has its own issues. As a predominantly rural area with limited facilities and public transport, it is not an obvious location for significant development. There are also landscape and historic environment constraints. It is also affected by water neutrality requirements and the potential for capacity issues on the wider highway network. These factors appear to support the Council’s position that a maximum of 600-700 homes could be delivered over the Plan period (or around 40 dpa)”. (Appendix LPD9, paragraph 9).

52. However, that advice was issued prior to the Council’s Sustainability Appraisal (Appendix LPD5) and Water Neutrality Mitigation Strategy (Appendix LPD6) being published, which have since concluded that development of up to 1,796 homes in the North of the Plan Area over the plan period can be sustainably achieved.

53. The Council makes no justification that not meeting its housing need in full would significantly and demonstrably outweigh the benefits of meeting the majority of the shortfall of need in the North of the Plan Area, when assessed against the policies in the National Planning Policy Framework (2021) taken as a whole. The Council entirely overlooks the fact that its objectively assessed housing requirement is not being met. The only reason the Council makes for not meeting its housing need in the North of the Plan Area is set out in a Cabinet Report, dated 23 January 2023, which states: In the north of the Plan area, previously, given it is less sustainable compared to Chichester and the east-west corridor, the Local Plan has only provided for only limited growth, focused on enabling these communities to continue to sustain local facilities and contribute towards meeting locally generated housing needs, and support for the rural economy, in line with the settlement hierarchy. However, due to the constraint of the A27 in the south of the plan area (see housing section at para 5.34 onwards below), it is considered that this Plan should provide for a moderate level of growth in the north to help to make up the overall shortfall of dwellings, in order to demonstrate that ‘no stone has been left unturned’ in identifying housing supply.

High levels of growth were considered at Loxwood, Kirdford, Wisborough Green and Plaistow and Ifold, but ruled out due to the need to conserve the rural character of the area and its high quality landscape and to minimise the impact on the historic environment. The spatial strategy therefore includes growth at Kirdford (50 dwellings), Wisborough Green (75 dwellings) and Plaistow and Ifold (25 dwellings). Loxwood is the least constrained settlement in the north of the plan area, and benefits from the most services and facilities, including healthcare. Therefore, a moderate amount of growth is appropriate for Loxwood of 220 dwellings, to come forward through the neighbourhood planning process. The SA of the northern options considered 3 scenarios (plus each scenario with the addition of a potential new settlement at Crouchlands), for low, higher and highest growth. The highest growth scenarios perform poorly and therefore the Local Plan reflects a combination of the low and higher growth scenarios tested, which takes into account the constraints of each settlement and the need to avoid cross boundary traffic and education impacts. A new settlement at Crouchlands has been ruled out as it is not of a sufficient size to be a sustainable new settlement in a rural location and because of the negative impact on the landscape and intrinsic rural character of the area and poor sustainable transport links. (Appendix LPD11, paragraphs 5.19 – 5.21).

54. The Council fails to make a case that the impacts of meeting this need would outweigh the harm cause by not meeting the full housing need, or indeed that impacts of even getting closer to meeting this need would demonstrably outweigh the harm of not meeting housing need.

55. On the contrary, there is evidence to demonstrate that housing supply could be higher by at least 600 homes through the allocation of Crouchlands Farm as a site considered to be suitable, achievable and available by the Council’s Housing and Economic Land Availability Assessment (Appendix LPD7, page 134). The allocation of Crouchlands Farm would be acceptable in water neutrality terms, with both Scenarios 1a and 2a of the Sustainability

Appraisal (Appendix LPD5, page 34) delivering new homes below the maximum figure set out in the Water Neutrality Mitigation Report (Appendix LPD6, page VI). Furthermore, there are no heritage and landscape constraints associated with Crouchlands Farm.

56. In addition, the information supporting the applications for Rickman's Green Village further demonstrate Crouchlands Farm as a highly sustainable site, capable of delivering up to 600 homes alongside a village hub with farm shop, retail and commercial units, office and flexible working space, and open space provision (as well as provision for a primary school or other suitable community facility).

57. Proposed Policy H1 is therefore unsound on the basis that it is not positively prepared or justifiable when accounting for all reasonable alternatives. Historic under-delivery

58. The previous (adopted) Local Plan (Appendix LPD3, page 49) did not provide a sufficient supply of housing to meet the Council's full housing need at the time of adoption, which is the same approach proposed by the Council for Policy H1.

59. Many of the sites allocated for housing in the previous (adopted) Local Plan on sites in the south of the District have not been delivered, as demonstrated by Appendix 2, Table E of the Council's Five Year Housing Land Supply Position Statement (Appendix LPD12). This confirms that four sites allocated by the Council previously, with a combined projected supply of 2,210 homes, have not been started, and do not even benefit from planning permission. We understand that none of those sites has come forward due to impediments resulting from site ownership, which raises questions around the approach taken by the Council in allocating sites for housing in the south in the past, which Policy S1 proposes to use again.

60. The Council's failing to meet its housing supply historically has also resulted in it now being unable to demonstrate a five year housing land supply and so unable to effectively manage proposals for speculative housing developments. This is reflected in a significant proportion – some 87% – of new housing coming from windfall sites (Appendix LPD4, page 12).

61. In addition, the Council introduced a new Interim Position Statement for Housing (Appendix LPD13) which set out a spatial strategy to allow new development adjacent to settlement boundaries as a way of significantly boosting housing supply (Criterion 1). The Council has not carried this strategy forward into the emerging Local Plan. This is despite the Planning Inspectorate recommending this in a recent appeal decision (Appendix LPD14), stating that the application of Criteria 1 suggested "the Council's [adopted] spatial strategy may be out of date, as a more permissive approach appears necessary to maintain a five-year housing land supply." (paragraph 25).

62. Proposed Policies S1 and H1 are therefore unsound as they follow the same approach of the previous (adopted) Local Plan, which has proven to be ineffective and unsustainable, contrary to national policy, and the recommendations of the Planning Inspectorate.

#### Longer Term Growth Requirements

63. The emerging Local Plan as originally published (Appendix LPD15), prior to the meetings of the Council's Cabinet and Full Council on 23 and 24 January 2023, respectively, set out "some reservations about whether it will be appropriate in the longer term to continue to rely on existing sources of supply (e.g., urban extensions and urban intensification) indefinitely given the potential for ongoing increased levels of housing needs" (paragraph 5.11).

64. In doing so, it identified that a new settlement of 2,000 – 3,000 dwellings to accommodate potential longer-term growth needs beyond the Plan period (i.e. 2039 onwards) will need to be explored.

65. At the meeting of the Council's Cabinet, a proposed amendment was agreed to remove the above wording and instead insert: "Beyond the Plan period additional planned provision for housing will be required. During the course of preparing this Plan, it has become apparent that it may not be appropriate in the longer term to continue to rely completely on sources of supply such as urban extensions and urban intensification" [...]

"In order to be in a position to update this Local Plan within the next five years the Council will need to consider future population and household growth. At the same time, the requirement for sufficient homes to house a local workforce without relying on excessive in-commuting to the District's workplaces will need to be considered. The continual evolution of National Planning Policy also presents challenges as in what national, regional, sub-regional and plan area strategic planning context any future reviews of this plan may be undertaken." (Appendix LPD1, paragraphs 5.11 – 5.12).

66. Reference is then made to the need to work "bilaterally with neighbouring authorities in seeking to find cross boundary strategic solutions to future growth requirements" (Appendix LPD1, paragraph 5.13).

67. The emerging Local Plan (Appendix LPD1, paragraph 5.14) continues to recognise a need to facilitate the identification of possible new development sites specifically within the Chichester plan area, however solutions to meet that need are not explored fully.

68. The Council states that it would consider sites that (with our commentary in bold):

- i) are of a sufficient scale to support potential long-term development needs arising and support the provision of key infrastructure and community facilities – Rickman's Green Village is of a scale similar to surrounding villages, and will provide all necessary key infrastructure as well as community facilities such as a potential primary school (or other suitable community facility), sports pitches, and shops;
- ii) are comprehensively planned in consultation with existing communities and key stakeholders – significant public engagement has been undertaken, including two in-person public consultation events, and pre-application discussions with West Sussex County Council (on transport, and education) and Chichester District Council;
- iii) provide for a sustainable, inclusive and cohesive community promoting self-sufficiency and with high levels of sustainable transport connectivity – a new bus service connecting Rickman's Green Village to Billingshurst is proposed, and onsite infrastructure is provided to promote self-sufficiency;
- iv) include on-site measures to avoid and mitigate any significant adverse impacts on nearby protected habitats – extensive ecology surveys and assessments have been undertaken to ensure habitats are protected. For example, 10 – 30 m buffers have been incorporated around Ancient Woodland;
- v) provide a mix of uses to meet longer term development needs and contribute towards its distinctive identity – the village hub will provide office spaces, shops, a café, leisure facilities and a potential school or other suitable community facility to meet long term needs of future residents; and
- vi) are of a layout and form that avoids coalescence with existing settlements and does not undermine their separate identity; respects the landscape character and conserves and where possible enhances the character, significance and setting of heritage assets – Rickman's Green Village has been designed to be a new rural village that does not rely on or coalesce with other surrounding villages. The design has been landscape-led and reflects the character of nearby villages, with contemporary features. There are a number of mitigation measures in place to ensure the setting of heritage assets are protected.

69. Proposed Policies S1 and H1 are therefore unsound. The Council acknowledges that there are ways of meeting future housing need, which could include an allocation of Crouchlands Farm, but avoids deploying these now, which is not justified.

#### Water neutrality

70. Proposed Policies S1, Spatial Development Strategy (Appendix LPD1, page 40 – 41), H1, Meeting Housing Needs (Appendix LPD1, page 100), and H3, Non-Strategic Parish Housing Requirements 2021 – 2039 (Appendix LPD1, page 103) are unsound, and contradictory to proposed Policy NE17,

## Water Neutrality (Appendix LPD1, page 89)

71. The Council's Sustainability Appraisal (Appendix LPD5), in assessing the proposed growth scenarios for the North of the Plan Area, states that water neutrality remains a "key constraint to higher growth" (page 40), despite a Mitigation Strategy (Appendix LPD6) having been agreed.
72. That Mitigation Strategy (Appendix LPD6) assumes 1,796 homes being delivered in the North of the Plan Area which the Council's Sustainability Appraisal (Appendix LPD5, page 16) states:  
"immediately serves to indicate that there is no potential to deliver the high growth target figure of 1,854 homes as the (minimum) level of growth that would be necessary in the northeast plan area, were the local plan housing requirement to be set at LHN [local housing need]."
73. Based on the above, the Council should have discounted the highest growth scenarios for the North of the Plan Area in the Sustainability Appraisal Scenarios 3 and 3a, which propose 1,964 and 2,564 homes, respectively for delivering more than 1,796 homes (Appendix LPD5, page 26). Page 26 of the Council's Sustainability Appraisal (Appendix LPD5) states, however, "On balance, just Scenario 3a [highest growth of the four parishes plus Crouchlands Farm, providing 2,564 homes] is ruled out as unreasonable, on this basis, leaving five reasonable growth scenarios". The Council provides no further justification for the inclusion of Scenario 3.
74. The Sustainability Appraisal (Appendix LPD5) goes on to state that whilst a Mitigation Strategy has been agreed, it "cannot be implemented until further work has been completed in order to design / set up strategic offsetting schemes. In this light, the proposed strategy of restricting growth somewhat [in the North of the Plan Area] is supported" (page 60).
75. That assessment is at odds, however, with proposed Policy NE17, Water Neutrality (Appendix LPD1, page 89), which states that "Development proposals are not required to utilise the planning authority-led offsetting scheme and may bring forward their own offsetting schemes."
76. The Council, therefore, seeks to use water neutrality to limit future growth in the North of the Plan Area, despite proposed Policy NE17 facilitating appropriate development from coming forward, such as that proposed at Crouchlands Farm. Proposed Policies S1, H1 and H3 are unsound for not being positively prepared or justified.

## C. CROUCHLANDS FARM

77. Our analysis of the Council's emerging Local Plan shows that it cannot be found sound as the Council proposes a shortfall of supply against its minimum local housing need where there are no exceptional circumstances to justify this, as well as there being evidence to support additional sites for housing.

78. As a result, the Council should be asked to allocate more sites to help bridge the gap in the extent of its housing shortfall and Crouchlands Farm should be considered the obvious first choice given the deliverability of Rickman's Green Village, as demonstrated by the Council's evidence base (Appendix LPD5, page 34, and Appendix LPD7.5, page 134), and the evidence presented below.

For further information, see attached supplementary documents.

**Change suggested by respondent:**

See attached written representation

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** 2023.03.16 final wsx1 Local Plan Representation - <https://chichester.oc2.uk/a/swm>  
 LPD17 Sustainable Settlement Study (March 2023) - <https://chichester.oc2.uk/a/trh>  
 ENG1 Letter Introducing Rickman's Green Village to Senior Leadership Team\_redacted - <https://chichester.oc2.uk/a/t35>  
 ENG2 Rickman's Green Village Public Consultation Letter\_redacted - <https://chichester.oc2.uk/a/t36>  
 ENG10 Letter to Senior Leadership Team Regarding Application Submissions\_redacted - <https://chichester.oc2.uk/a/t37>  
 LPD14 Appeal Decision - <https://chichester.oc2.uk/a/t39>  
 LPD13 Interim Position Statement for Housing - <https://chichester.oc2.uk/a/t3d>  
 ENG3 Rickman's Green Village Proposed Allocation Information Pack - <https://chichester.oc2.uk/a/t3w>  
 ENG4 Rickman's Green Village Proposed Allocation Briefing Note - <https://chichester.oc2.uk/a/t3f>  
 ENG5 Rickman's Green Village Illustrative Masterplan - <https://chichester.oc2.uk/a/t3g>  
 ENG6 Rickman's Green Village Public Consultation Update - <https://chichester.oc2.uk/a/t3h>  
 ENG7 Rickman's Green Village Public Consultation Presentation Boards - <https://chichester.oc2.uk/a/t3x>  
 ENG8 Rickman's Green Village Proposed Landscape Strategy - <https://chichester.oc2.uk/a/t3j>  
 ENG9 Rickman's Green Village Bus Feasibility Note - <https://chichester.oc2.uk/a/t3k>  
 RGV1 Whole Farm Plan Planning Statement - <https://chichester.oc2.uk/a/t3z>  
 RGV2 Rickman's Green Village Planning Statement - <https://chichester.oc2.uk/a/t3m>  
 RGV4 Rickman's Green Village (full) design and access statement - <https://chichester.oc2.uk/a/t3n>  
 RGV5 Rickman's Green Village (outline) Design and Access Statement - <https://chichester.oc2.uk/a/t3y>  
 RGV6 Rickman's Green Village Affordable Housing Statement - <https://chichester.oc2.uk/a/t3p>  
 RGV8 Whole Farm Plan Air Quality Impact Assessment (Summary) - <https://chichester.oc2.uk/a/t3q>  
 RGV9 Rickman's Green Village (full) Air Quality Assessment - <https://chichester.oc2.uk/a/t4r>  
 RGV10 Rickman's Green Village (outline) Air Quality Assessment - <https://chichester.oc2.uk/a/t4s>  
 RGV11 Whole Farm Plan Arboricultural Implications Report - <https://chichester.oc2.uk/a/t4t>  
 RGV16 Rickman's Green Village Deliverability Statement - <https://chichester.oc2.uk/a/t43>  
 RGV17 Whole Farm Plan Ecological Impact Assessment (Report Summary) - <https://chichester.oc2.uk/a/t44>  
 RGV18 Rickman's Green Village Ecological Impact Assessment (Report Summary) - <https://chichester.oc2.uk/a/t45>  
 RGV19 Whole Farm Plan Economic Impact Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t46>  
 RGV21 Whole Farm Plan Environment Impact Assessment - <https://chichester.oc2.uk/a/t47>  
 RGV22 Rickman's Green Village Environmental Statement - <https://chichester.oc2.uk/a/t48>  
 RGV23 Whole Farm Plan Heritage Statement (Summary and Conclusion) - <https://chichester.oc2.uk/a/t49>  
 RGV31 Whole Farm Plan Operational Statement - <https://chichester.oc2.uk/a/t4v>  
 RGV32.2 Rickman's Green Village (outline) Residential Travel Plan Annex C - <https://chichester.oc2.uk/a/t4b>  
 RGV33 Whole Farm Plan Rural Enterprise Centre Report - <https://chichester.oc2.uk/a/t4c>  
 RGV35 Whole Farm Plan Transport Assessment (Summary and Conclusions) - <https://chichester.oc2.uk/a/t4d>  
 RGV38 Whole Farm Plan Water Neutrality Report - <https://chichester.oc2.uk/a/t4w>  
 RGV39 Rickman's Green Village (full) Water Neutrality Report - <https://chichester.oc2.uk/a/t4f>  
 PLA1 Allocation Location Plan - <https://chichester.oc2.uk/a/t4g>  
 PLA2 Whole Farm Plan Site Location Plan - <https://chichester.oc2.uk/a/t4h>  
 PLA3 Proposed Whole Farm Plan - <https://chichester.oc2.uk/a/t4x>  
 PLA4 Phase 1 Site Location Plan - <https://chichester.oc2.uk/a/t4j>  
 PLA5 Phase 1 Illustrative Masterplan - <https://chichester.oc2.uk/a/t4k>  
 PLA6 Phase 1 Proposed Site Layout - <https://chichester.oc2.uk/a/t4z>  
 PLA7 Phase 2 Site Location Plan - <https://chichester.oc2.uk/a/t4m>  
 PLA8 Rickman's Green Village Illustrative Masterplan (Option A) - <https://chichester.oc2.uk/a/t4n>  
 PLA9 Rickman's Green Village Framework Masterplan (Option A) - <https://chichester.oc2.uk/a/t4y>

PLA10 Rickman's Green Village Framework Masterplan (Option B) - <https://chichester.oc2.uk/a/t4p>  
 PLA11 Axonometric View (Option A) - <https://chichester.oc2.uk/a/t4q>  
 LDP15 Cabinet Meeting Agenda Item 4 -  
<https://chichester.moderngov.co.uk/documents/s24215/Proposed%20Submission%20version%20of%20the%20Chichester%20Local%202039%20-%20Appendix%20A.pdf>  
 RGV7 Rickman's Green Village Agricultural Classification Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t54>  
 RGV12 Rickman's Green Village (full) Arboricultural Implications Report - <https://chichester.oc2.uk/a/t55>  
 RGV13 Rickman's Green Village (outline) Arboricultural Implications Report (summary) - <https://chichester.oc2.uk/a/t56>  
 RGV14 Rickman's Green Village (full) Biodiversity Net Gain Assessment (Report Summary) - <https://chichester.oc2.uk/a/t57>  
 RGV15 Rickman's Green Village (outline) Biodiversity Net Gain Assessment (Report Summary) - <https://chichester.oc2.uk/a/t58>  
 RGV20 Rickman's Green Village Economic Impact and Social Value Assessment (Executive Summary) -  
<https://chichester.oc2.uk/a/t59>  
 RGV24 Rickman's Green Village (full) Heritage Statement (Summary and Conclusion) - <https://chichester.oc2.uk/a/t5v>  
 RGV25 Rickman's Green Village (outline) Heritage Statement (Summary and Conclusion) - <https://chichester.oc2.uk/a/t5b>  
 RGV26 Rickman's Green Village (full) Land Quality Assessment (Conclusions and Recommendations) -  
<https://chichester.oc2.uk/a/t5c>  
 RGV27 Rickman's Green Village (outline) Land Quality Assessment (Conclusions and Recommendations) -  
<https://chichester.oc2.uk/a/t5d>  
 RGV28 Whole Farm Plan Landscape and Visual Impact Assessment (Summary and Mitigation Strategy) -  
<https://chichester.oc2.uk/a/t5w>  
 RGV29 Rickman's Green Village (full) Landscape and Visual Impact Assessment (conclusion) - <https://chichester.oc2.uk/a/t5f>  
 RGV30 Rickman's Green Village (outline) Landscape and Visual Impact Assessment (Conclusion) -  
<https://chichester.oc2.uk/a/t5g>  
 RGV32.1 Rickman's Green Village (outline) Residential Travel Plan (Executive Summary) - <https://chichester.oc2.uk/a/t5h>  
 RGV34 Rickman's Green Village (outline) School Travel Plan (Executive Summary) - <https://chichester.oc2.uk/a/t5x>  
 RGV36 Rickman's Green Village (full) Transport Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t5j>  
 RGV37 Rickman's Green Village (outline) Transport Assessment (Summary and Conclusions) - <https://chichester.oc2.uk/a/t5k>  
 RGV40 Horsham District Council Response to Rickman's Green Village Applications - <https://chichester.oc2.uk/a/t5z>  
 RGV41 Waverley Borough Council Response to Rickman's Green Village Applications - <https://chichester.oc2.uk/a/t5m>  
 RGV42 West Sussex County Council Response to Rickman's Green Village Applications - <https://chichester.oc2.uk/a/t5n>  
 LPD15 Cabinet Meeting Agenda Item 4 - <https://chichester.oc2.uk/a/t5y>  
 RGV3 Whole Farm Plan Design and Access Statement - <https://chichester.oc2.uk/a/t5p>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Landacre (Chichester) Limited [8110]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

### Summary:

Plan area is capable of accommodating greater housing quantum to facilitate development and meet objectives of Local Plan. Council have failed to provide sufficient justification for not meeting housing need in full and have not suitably considered unmet need from adjoining authorities. Council's position of growth is predicated on basis of A27 not having sufficient capacity to accommodate higher growth. Evidence base (Transport Study 2023) contradicts position, therefore Council should at least be meeting local housing need and also considering what part it can play with meeting unmet needs for adjoining authorities.

### Full text:

#### 1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Landacre (Chichester) Limited. The submission covers the general principles of the Local Plan, but has a focus on land at New Bridge Farm, Clay Lane Chichester, which is in our client's control. The land is shown on the attached context plan (land outlined in purple) included at Appendix 1 and hereon referred to as the site.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

#### 2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Council's Local Plan, or at least through an allocation of numbers to the Parish, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

☒ Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period

☒ The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The

Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

2.7 It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.8 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the Transport Study (2023) which concludes that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that our client do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.9 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts. The absence of consideration of additional improvements works appears to be a significant oversight in the preparation of the Transport Study and overall plan making.

2.10 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure in Transport Study, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF, do not appear to exist and the Plan could be considered unsound on this point alone.

2.11 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.12 It should also be noted that the draft Plan does not therefore address any requirements in relation to unmet housing need of neighbouring authorities. Nor does it contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015. The subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.13 Given that our client does not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.14 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.15 It should also be noted that the plan does rely on the delivery of Neighbourhood Plan and / or Small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.16 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst my comments are noted above that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.17 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Development in Chichester City

3.1 Our clients land is located within Chichester City on land north of Clay Lane. The draft Local Plan sets out that the city of Chichester is the main settlement with a population of around 29,193(4) and is the principal location for the provision of higher education and shopping facilities. The city is renowned for its cathedral, its historic heritage and university and is the largest centre of employment in the plan area. The Plan goes on to state that most new development will be well located in and around the main settlements of Chichester, together with Tangmere and Southbourne.

3.2 As would be expected, the Local Plan allocates a significant proportion of housing to the city, which includes a site specific allocation of 1,600 homes to the west of Chichester under Policy A6 (part of current Local Plan allocations), 680 homes to the east under Policy A10, 500 homes to Westhampnett and 585 homes at Shopwyke Lakes. A further allocation of housing numbers for 270 homes under Policy A2 are proposed for Chichester City to be delivered as part of a Neighbourhood Plan for the area site allocations DPD.

3.3 The proposed 270 home allocation should comprise a minimum figure, which for the reasons set out above in relation to the A27 would be feasible. It should also set out that the Council should consider a mix of both city centre and edge of city sites to ensure a mix of house types and sizes, with town centre more likely to comprise flats and edge of settlement a mix of 1-4 bedroom homes, which will include family homes.

3.4 Our position on the approach to further allocations and the need for clear timescales to ensure soundness of the Plan is set out at 2.13-2.16 above.

### 4 Suitability of land New Bridge Farm, Clay Lane, Chichester

4.1 The site covers an area of approximately 3.1 hectares and located to the North-East of Fishbourne. The site comprises of an open field, bordered by mature foliage and fencing. The site is reasonably flat. The frontage is on the Southern boundary of the application site, which benefits from access to Clay Lane. It could be suitable for a quantum of development between 50-70 dwellings.

4.2 Access to the site is via an existing agricultural access from Clay Lane, which adjoins the southernmost corner of the site. The potential means of access has been the subject of a formal pre-application enquiry with WSCC as highway authority. This confirmed that a suitable means of access could be achieved for circa 70 dwellings.

4.3 Whilst the access would go through part of the proposed wildlife corridor to the west of the city, the upgrade of the access is not considered to undermine the overall intentions or integrity of the wildlife gap. However, our client would maintain that a wildlife corridor would better serve the area to the west of Fishbourne, rather than to the west of city. This is an uninterrupted route, as opposed to that currently proposed.

4.4 The site is located within flood zone 1, with a small area of surface water flood risk area identified outside of the site, along the Western boundary.

4.5 The site is located to the North-East of the village of Fishbourne, which comprises a settlement of approximately 2,325 people. Whilst the site does not directly adjoin the settlement boundary, the site is abutted by the approved development scheme at White House Farm Development. The site is therefore enclosed by recently approved development to the north and east. Furthermore, to the South, on the other side of Clay Lane an application for 25 dwellings was approved under reference CC/17/03117/FUL and the A27 embankment to the west. Therefore, it is reasonable to say that the site is enclosed by an established principle of development.

4.6 The site also benefits from direct connection to the public footpath network, which runs along the western and northern boundaries. This continues west through White House Farm (1,600 home allocation) and onwards to the city centre.

4.7 The site has the potential to deliver homes in a sustainable location, on a site that would effectively comprise an infill form of development. The site is suitably located to deliver housing without harm to cultural heritage of the city.

#### 5 Conclusion

5.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, we consider that the Plan area is capable of accommodating a greater housing quantum. This will facilitate development and meet the objectives of the Local Plan. The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the SDNP. The Council's position of growth is predicated on the basis of the A27 not having sufficient capacity to accommodate a higher growth of 535 dpa. Its own evidence base (Transport Study 2023) contradicts this position and therefore the Council should at least be meeting their local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.

5.2 At present, the Plan fails to be positively prepared and is inconsistent with the NPPF. On the basis that the Council don't reconsider their position, we wish to be present at the relevant Examination hearings to represent our clients' interests and further discuss the views set out in this submission.

#### Change suggested by respondent:

Proposed site in attachment could help fulfil the full housing requirement for the District. This could be through an allocation within the Council's Local Plan, or at least through an allocation of numbers to the Parish, who in turn would select sites through a Neighbourhood Plan allocation.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/swn>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Mrs Jane Towers [7058]

#### Summary:

Housing number should be reduced

#### Full text:

1) Development is patently not located or designed to minimise traffic generation. Unless there is a fully integrated and planned modal shift requiring substantial investment car use will rise exponentially. Locating so much housing out of the city in areas which have minimal facilities will lead to many more car journeys. If your nearest shop or pharmacy is 2/3 miles away are you going to wait for a bus scheduled every 30 mins, walk 40 mins each way or get in the car?

#### Change suggested by respondent:

Reduce overall housing number

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Donnington Parish Council (Mrs Nicola Swann (Parish Clerk)) [888]

#### Summary:

CATM model calibrated and validated using 2014 data not taking account of developments such as Chichester Free School adjacent to A27 Whyke roundabout. Transport assessment states "all junctions on the A27 Bypass are over capacity in one or both modelled peak hours". Only 28% of traffic growth due to Local Plan development. Improvements only to Fishbourne and Bognor Roundabouts so over capacity issues still remain at other roundabouts. Plan does not effectively mitigate the impact of additional growth and is adding further demand.

#### Full text:

CATM model calibrated and validated using 2014 data not taking account of developments such as Chichester Free School adjacent to A27 Whyke roundabout. Transport assessment states "all junctions on the A27 Bypass are over capacity in one or both modelled peak hours". Only 28% of traffic growth due to Local Plan development. Improvements only to Fishbourne and Bognor Roundabouts so over capacity issues still remain at other roundabouts. Plan does not effectively mitigate the impact of additional growth and is adding further demand.

#### Change suggested by respondent:

Housing number should be further challenged on this basis.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object



**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Domusea [1816]

**Agent:** Smith Simmons Partners (Paul White) [7650]

#### Summary:

We note from policy H1 that the components of housing supply include outstanding housing commitments without planning permission from the 2015 adopted Local Plan, the Site Allocations DPD, and 'made' Neighbourhood Plans.

However, it is unclear how the above housing supply components have been calculated and how they have translated into the strategic and non-strategic allocations in policies H2 and H3.

With specific reference to Plaistow & Ifold we would therefore query whether 1) the existing housing commitments without planning permission in the 2015 Local Plan and the Site Allocations DPD have been double counted, and 2) whether the non-implementation of the 10 units from the 2015 Local Plan have been ring fenced to count against the new proposed allocation of 25 dwellings at the settlement?

#### Full text:

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. The Regulation 19 Plan is not legally compliant as it has not been reviewed within 5 years of the last Plan adopted in July 2015. It is also disappointing that the failure of the current Regulation 19 Local Plan to meet objectively assessed need (OAN) of 638 dpa outside the national park has not been properly evidenced in any up to date statement of common ground with neighbouring authorities with regards to the 'duty to cooperate'.

At this stage we believe the Plan as drafted therefore fails the positively prepared, effective, and consistent with national planning policy tests.

#### Duty to Cooperate

The 2014-2029 Local Plan adopted in 2015 does not meet the full objectively assessed housing needs for the area. But it did recognise that future proposals to improve the capacity of the A27 and wastewater treatment works could facilitate additional housing growth. For this reason, it committed the Council to a review of the Plan within five years to ensure that housing needs could be met. That undertaking to review within 5 years was not met.

In 2021 the Council invited an advisory visit from PINS to advise on how the present Local Plan should be prepared. The inspector advised that if the Plan was prepared which did not meet the full housing needs of the area, it would have to show that it had followed the duty to co-operate with neighbouring authorities in maximising the effectiveness of plan preparation.

The inspector said the Duty to Cooperate was therefore critical in the preparation of the Local Plan Review. At the time of the meeting, the council said discussions with neighbouring authorities had been carried out on the basis that the Local Plan Review would meet the full objectively assessed housing needs (OAN) for the area. However if this was not the case, the inspector said evidence of constructive, active, and on-going engagement to determine whether or not development needs could be met elsewhere would need to be shown. Importantly, the inspector said, 1) 'a failure to meet the Duty to Cooperate cannot be remedied during the examination process because it applies to the preparation of the Plan, which ends upon submission', and 2) local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before submitting plans for examination.

The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. In the event, the Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted. Appendix 1 of the Statement of Compliance lists those authorities that were consulted during the earlier Regulation 18 Preferred Approach consultation. Appendix 2 lists those authorities where Statements of Common Ground have been agreed with Chichester DC for the Regulation Submission 19 Plan. No statements have produced or agreed. Therefore as it stands the under provision of housing against OAN in the Plan has not been justified. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy in the NPPF paragraph 24-27 which advises on the duty to cooperate approach.

#### Local Plan Policies

The remainder of these comments deal with the proposed Settlement Hierarchy - policy S2, policy H1 – Meeting Housing Need, Non-Strategic Housing Sites – Policy H3 and T1 Transport Infrastructure.

#### Policy S2 – Settlement Hierarchy

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that Plaistow & Ifold has been properly identified as a service village in the settlement hierarchy.

#### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

We note from policy H1 that the components of housing supply include outstanding housing commitments without planning permission from the 2015 adopted Local Plan, the Site Allocations DPD, and 'made' Neighbourhood Plans.

However, it is unclear how the above housing supply components have been calculated and how they have translated into the strategic and non-strategic allocations in policies H2 and H3.

In the case of Plaistow and Ifold, the last adopted 2015 Local Plan identified the settlement with an allocation of 10 dwellings. The subsequent Site Allocation DPD identified land north of Little Springfield Farm for 10 no. units. A Neighbourhood Plan for Plaistow and Ifold was produced but was

withdrawn and no site allocations were confirmed. The allocated site north of Little Springfield Farm remains undeveloped.

With specific reference to Plaistow & Ifold we would therefore query whether 1) the existing housing commitments without planning permission in the 2015 Local Plan and the Site Allocations DPD have been double counted, and 2) whether the non-implementation of the 10 units from the 2015 Local Plan have been ring fenced to count against the new proposed allocation of 25 dwellings at the settlement? In which case, we would question why a further 15 dwellings are only proposed at a service village in the hierarchy compared to other service villages in the NE part of the district which are proposed for higher levels of development (Loxwood 220 dwellings, Kirdford 50 dwellings and Wisborough Green 75 dwellings).

If the 25 dwelling allocation at Plaistow & Ifold is intended to be additional to the 10 units identified in the last 2015 Local Plan, then the allocation should be increased to 35 dwellings as a minimum to reflect the non-implementation of the 2015 allocation.

**Policy H3 – Non-Strategic Parish Allocations**

Policy H3 identifies non-strategic parish allocations. We have explained above our queries with the 25 dwelling allocation to Plaistow & Ifold, whether it has allowed for the non-implementation of the 10 units in the last 2015 Plan and why it compares so unfavourably with much higher levels of development for the other service villages in the NE part of the district.

We would also query why the options outlined in the PINS advisory visit of 2021 have not been more thoroughly tested for increased housing provision in the north part of the district to increase the supply of housing to meet OAN. There is no updated Settlement Hierarchy background paper, and the revised housing distribution has not been justified anywhere in the evidence base for the Regulation 19 Local Plan.

**Policy T1 – Transport Infrastructure**

The policy objectives to ensure new development is well located and designed to avoid or minimise the need for travel and encourage the use of sustainable modes of travel as an alternative to the private car are supported. However, the proposed contribution of £7.7k per dwelling towards A27 highway improvements applies to new housing across the district even in the NE part of the district where impacts from development on the A27 will be less than developments in the south of the district.

In any event it is unclear how the contributions are justified when the responsibility for trunk road infrastructure improvements rests with National Highways.

The proposed contribution in T1 is therefore questioned and in our view, flawed. The level of contribution set out in the policy and the principle of a contribution will therefore require further testing at the forthcoming Examination.

**Change suggested by respondent:**

If the 25 dwelling allocation at Plaistow & Ifold is intended to be additional to the 10 units identified in the last 2015 Local Plan, then the allocation should be increased to 35 dwellings as a minimum to reflect the non-implementation of the 2015 allocation.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Domusea Reg 19 - <https://chichester.oc2.uk/a/sf5>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

Objection to housing figure due to transport concerns -

Over capacity at the Fishbourne roundabout was identified in 2014, there has been a massive increase in housing west of Chichester between 2014 and 2023 but no improvement to the roundabouts have been implemented to date. There is no guarantee that funding to improve the A27 or Fishbourne roundabout will be available within the timescale of the Plan.

**Full text:**

Over capacity at the Fishbourne roundabout was identified in 2014, there has been a massive increase in housing west of Chichester between 2014 and 2023 but no improvement to the roundabouts have been implemented to date. There is no guarantee that funding to improve the A27 or Fishbourne roundabout will be available within the timescale of the Plan.

Congestion has been a problem since 2014 and this strategy does not offer a solution. There is a clear omission here that funding is not available to facilitate the improvements required to address the current and worsening congestion caused by future development.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

Objection to housing figure in relation to NE20.

There appears to be no evidence of a district wide strategic approach to achieving appropriate mitigation measures.

**Full text:**

There appears to be no evidence of a district wide strategic approach to achieving appropriate mitigation measures.

**Change suggested by respondent:**

Both a reduction in housing numbers to reduce the pollution and a district wide strategic approach to achieving appropriate mitigation measures, to ensure soundness of the plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Berkeley Strategic Group (Mr Charlie Rollet-Manus) [7916]

**Summary:**

To support the environmental, social and economic sustainability of the district the local plan should, as a minimum, provide for the full identified housing need of 11,484 dwellings over the plan period.

The draft local plan fails to provide for the full housing need and Duty-to-Cooperate discussions have failed to resolve the shortfall. There remains an unmet housing need of 1,134 dwellings which the draft plan does not address.

**Full text:**

Paragraph 11b of the National Planning Policy Framework indicates that policies should, as a minimum, provide for objectively assessed needs for housing, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 60 of the NPPF sets out that in order to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

To establish the minimum number of homes needed, paragraph 61 sets out that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.

Paragraph 66 goes on to set out that strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need can be met over the plan period.

Berkeley supports the identified housing need of 11,484 homes over the plan period, which equates to 638 per annum, calculated using the Standard Method and referenced in paragraph 5.1 of the Local Plan. However, it should be noted that this does not include any allowance for assisting with unmet need from the part of the South Downs National Park within Chichester District.

Policy H1 sets a housing requirement of 10,350 homes during the plan period, equating to 575 dwellings per annum.

As such, a shortfall of 1,134 dwellings exists against the calculated housing need. The plan seeks to justify this shortfall at paragraph 5.2 as a result of perceived constraints across the district, including the capacity of the A27.

The draft plan and evidence base provides limited justification for this shortfall. Berkeley therefore considers that, having regard to paragraph 11(b) of the NPPF, the draft plan fails to provide a strong reason for restricting the overall scale, type or distribution of development based on the application of policies in the Framework that protect areas or assets of particular importance.

Chichester Council have produced a Duty to Cooperate Statement of Compliance as part of their Local Plan evidence base. Whilst it has been demonstrated that the Council have attempted to establish if any neighbouring authorities can accommodate the Council's unmet need, no local authorities have indicated that they are able to accommodate some of the unmet need, as referred to in paragraph 5.21.

As a result, the responsibility falls back to Chichester District Council to fulfil the unmet need within its own boundaries.

Fundamental to the soundness of the local plan and the future environmental, social and economic sustainability of the district is the need for the local plan to plan positively to meet the housing needs of the district in full.

Berkeley does not support this lower housing requirement than the identified need on the basis that the Local Plan has failed to identify sufficient grounds upon which to diverge from the District's housing need. Additionally, Berkeley believes there is greater capacity for suitable housing growth at Chichester City than has been identified in the draft plan.

The housing requirement of 10,350 is capacity led and has been reached given constraints such as the capacity of the A27. Additional capacity for development can be identified in the HELAA that is well located in relation to Chichester City which can assist the Council in delivering a housing supply closer to the identified need of the District and continue to accord with the spatial strategy of Policy S1.

It is important to note that the Inspectors Report for the Worthing Local Plan (October 2022) emphasises meeting housing needs as the 'most important and pressing of all strategic issues'. Chichester Council should therefore utilise as much available capacity as possible to contribute to meeting their housing need.

Berkeley does not consider that the evidence provided to suggest this additional capacity cannot be brought forward demonstrates strong reasons why the overall scale of growth in the district should be restricted.

The Sustainability Appraisal and supporting evidence provide insufficient evidence to demonstrate that strong reasons exist for restricting the level of housing provision. Additionally, it is not demonstrated that the adverse impacts of delivering the housing need in full would significantly and demonstrably outweigh the benefits.

**Change suggested by respondent:**

To assist in providing the necessary additional level of growth in the district, there is a need to recognise the suitability of additional sites on the edge of Chichester City, through the allocation of additional housing sites such as land at Lawrence Farm in Fishbourne Parish.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Hanbury Properties [1697]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. The Regulation 19 Plan is not legally compliant as it has not been reviewed within 5 years of the last Plan adopted in July 2015. It is also disappointing that the failure of the current Regulation 19 Local Plan to meet objectively assessed need (OAN) of 638 dpa outside the national park has not been properly evidenced in any up to date statement of common ground with neighbouring authorities with regards to the 'duty to cooperate'.

At this stage we believe the Plan as drafted therefore fails the 'positively prepared', 'effective', and 'consistent with national policy' tests.

In addition, with regard to the longer term growth requirements and the singular issue of a potential new settlement the plan also fails the 'justified' and 'consistent with national policy' tests of soundness.

**Duty to Cooperate**

The 2014-2029 Local Plan adopted in 2015 does not meet the full objectively assessed housing needs for the area. But it did recognise that future proposals to improve the capacity of the A27 and wastewater treatment works could facilitate additional housing growth. For this reason, it committed the Council to a review of the Plan within five years to ensure that housing needs could be met. That undertaking to review within 5 years was not met.

In 2021 the Council invited an advisory visit from PINS to advise on how the present Local Plan should be prepared. The inspector advised that if the Plan was prepared which did not meet the full housing needs of the area, it would have to show that it had followed the duty to co-operate with neighbouring authorities in maximising the effectiveness of plan preparation.

The inspector said the Duty to Cooperate was therefore critical in the preparation of the Local Plan Review. At the time of the meeting, the council said discussions with neighbouring authorities had been carried out on the basis that the Local Plan Review would meet the full objectively assessed housing needs (OAN) for the area. However if this was not the case, the inspector said evidence of constructive, active, and on-going engagement to determine whether or not development needs could be met elsewhere would need to be shown. Importantly, the inspector said, 1) 'a failure to meet the Duty to Cooperate cannot be remedied during the examination process because it applies to the preparation of the Plan, which ends upon submission', and 2) local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before submitting plans for examination.

The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. In the event, the Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted. Appendix 1 of the Statement of Compliance lists those authorities that were consulted during the earlier Regulation 18 Preferred Approach consultation. Appendix 2 lists those authorities where Statements of Common Ground have been agreed with Chichester DC for the Regulation Submission 19 Plan. No statements have produced or agreed. Therefore as it stands the under provision of housing against OAN in the Plan has not been justified. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy in the NPPF paragraph 24-27 which advises on the duty to cooperate approach.

**Local Plan Policies**

The remainder of these comments deal with the Settlement Hierarchy policy S2, H1, H2 H3 and H8.

**Policy S2 – Settlement Hierarchy**

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

**Policy H1 – Meeting Housing Needs**

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

**Policy H2 – Strategic Site Allocations and Policy H3 – Non-Strategic Parish Allocations**

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

**Policy H8 – Specialist accommodation for Older People**

National policy in the online planning practice guidance (PPG) is clear that the need to provide housing for older people is critical. The guidance on the provision of this type of housing states:

- Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to

require.

- They could provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.
- It includes the following within the general definition of specialist housing - age-restricted general market housing, retirement living or sheltered housing, extra care housing or housing-with-care, residential care homes and nursing homes, and senior co-housing communities.
- LPA's can identify sites for co-housing communities and other specialist housing types for older people, because,
- Allocating sites can provide greater certainty for developers and encourage the provision of sites in suitable locations. This may be appropriate where there is an identified unmet need for specialist housing. The location of housing is a key consideration for older people who may be considering whether to move (including moving to more suitable forms of accommodation).

Factors to consider include the proximity of sites to good public transport, local amenities, health services and town centres.

In our view however, draft Policy H8 doesn't reflect the guidance in the PPG. For instance, although the policy sets out a threshold of provision for specialist housing of housing sites of 200 or more units, there is no guidance on the actual % provision as there is for example, on affordable housing. All it says is the specific type and amount of accommodation required will depend on the size and location of the site.

The supply of specialist housing should not just be focused on large scale housing schemes. The landscape and environmental constraints across the district even outside the national park would not necessarily allow for large 200 plus unit schemes in all locations. To support an ageing population policy should support the provision of suitable specialist housing to meet the differing needs of individuals across a range of options and in a range of locations.

The second part of H8 should therefore confirm that proposals for specialist housing, such as homes for older people will be supported without any policy qualification for a site's location within or outside a settlement boundary or within an AONB where a proposal in its local context is not deemed to represent major development.

Rather than rely on the criteria based approach, the policy should also allow for the allocation of sites for specialist accommodation for older people in a Neighbourhood Plan where a site has the support of local people.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Hanbury Reg 19 - <https://chichester.oc2.uk/a/sf8>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

#### Summary:

We support every effort to improve air quality. Include Ultra Low Emission Zones. Use of car pooling.

Air quality will be reduced by the increased volume of traffic on the A27 before any upgrades can be implemented because engine idling will be increased.

The siting of 2000 new homes along the A259 corridor and the increase in traffic will impact in air quality. This cannot be mitigated. It will deter those who wish to walk or cycle if they are breathing in fumes from cars. The only way this policy can be achieved is if there is a decrease in cars using our roads. And without frequent bus and train services at affordable levels of cost, this will not happen.

#### Full text:

We support every effort to improve air quality. Include Ultra Low Emission Zones. Use of car pooling.

Air quality will be reduced by the increased volume of traffic on the A27 before any upgrades can be implemented because engine idling will be increased.

The siting of 2000 new homes along the A259 corridor and the increase in traffic will impact in air quality. This cannot be mitigated. It will deter those who wish to walk or cycle if they are breathing in fumes from cars. The only way this policy can be achieved is if there is a decrease in cars using our roads. And without frequent bus and train services at affordable levels of cost, this will not happen.

#### Change suggested by respondent:

Reduce the housing numbers from 10,350.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** 50.8 Architecture + Interiors (Mr Angus Eitel, Architect) [7913]

#### Summary:

Policy H1 allows for 657 housing units to be provided via windfall. This is quite a high number, where do you anticipate these will be provided? Will there be a basis for these to be provided outside settlement boundaries? This is particularly relevant when you consider the numbers being accounted for in the existing locations elsewhere.

#### Full text:

Policy H1 allows for 657 housing units to be provided via windfall. This is quite a high number, where do you anticipate these will be provided? Will there be a basis for these to be provided outside settlement boundaries? This is particularly relevant when you consider the numbers being accounted for in the existing locations elsewhere.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Northgate Properties Ltd [8108]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

As indicated earlier, without any properly evidenced 'duty to cooperate' statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. A question could be raised over the legality of the Regulation 19 Plan as it has not been reviewed within 5 years of the last Plan, which was adopted in July 2015. On the Council's own admission the current Regulation 19 Local Plan fails to meet objectively assessed need (OAN) of 638 dpa outside the national park. However, without any properly evidenced 'duty to cooperate' statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

We support the local authority in its attempts to navigate what is a challenging situation in relation to housing delivery within the district, however at this stage we believe the Plan, as drafted, fails to meet the 'positively prepared', 'effective', and 'consistent with national policy' tests and therefore could be interpreted as unsound.

In a bid to assist the process, we have collated our thoughts on how the Regulation 19 Local Plan could be improved below.

**Local Plan Policies**

These comments deal with the proposed Spatial Strategy (Policy S1) Settlement Hierarchy (S2), policies H1, H2 H3 and NE4. We also propose a new policy H4.

**Policy S1- Spatial Strategy**

Policy S1 deals with the spatial strategy of the plan. It has been informed by the role of each settlement within a hierarchy based on its facilities and services.

We agree that the spatial strategy for delivering growth and development should focus on Chichester city as the main sub-regional centre and most sustainable location with a wide range of services and facilities. However, there are self-evident constraints to further strategic scale development at the settlement itself because of its historic setting, the A27 to the south and east, the harbour AONB to the west and the national park in the north. Focusing growth close to the city would however still reinforce its role as a sub-regional centre and locating a significant proportion of development in or around Chichester city ahead of the second tier settlement hubs would reduce the need to travel to facilities and deliver sustainable development.

**Policy S2 – Settlement Hierarchy**

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

**Policy H1 – Meeting Housing Needs**

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

As indicated earlier, without any properly evidenced 'duty to cooperate' statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

**Policy H2 – Strategic Site Allocations and Policy H3 – Non-Strategic Parish Allocations**

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

**Longer Term Growth Requirements**

Paragraph 22 of the NPPF says strategic policies should look ahead over a minimum 15-year period from the date of the adoption of a plan to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. This justifies the proposed end date of the Plan of 2039. However, the NPPF goes on to state that where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.

Paragraphs 5.11-5.14 of the draft Plan says although its focus is on the development needs of the plan area up to 2039, some initial consideration has been given to the concept of a new settlement to accommodate potential longer term growth needs. This arises from some reservations about whether it will be appropriate in the longer term to continue to rely on existing sources of supply (e.g. urban extensions and urban intensification).

We agree that a new settlement would have a valuable role to play in meeting future housing need of the district and support the lower-case policy text of the Plan at paragraphs 5.11-14. However, bearing in mind the national policy guidance for a 30 year or so vision to allow for the planning and site identification for a new settlement, we see no reason why that part of the lower-case text at paragraph 5.14 of the Regulation 19 Plan should not be elevated into actual Plan policy. Such an approach would deliver benefits to the plan anyway in offering a 'land supply reserve' in the event the Examiner for the Local Plan finds that it should meet OAN in accordance with the 'positively prepared' test. If a new settlement is needed to contribute to OAN, it

would then form part of the development strategy of the Plan and justify the policy in principle.

We therefore propose a new Policy H4 – A New Settlement as set out in section 6 below.

Policy NE4 – Strategic Wildlife Corridors

The Council produced a Strategic Wildlife Corridor background paper in December 2018 and another technical consultation document in July 2021.

Neither document has been updated for the present Regulation 19 Local Plan. It is unclear therefore whether the ecological interest has changed and whether it can still inform the extent and location of the defined wildlife corridors in the current Plan. We say this on the basis that standard habitat surveys are usually required to be reviewed and updated after 18 months.

Paragraph 179(a) of the NPPF sets out policy to protect and enhance biodiversity and geodiversity and states that Plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national, and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them.

We therefore agree that the identification of wildlife corridors in the emerging Plan is consistent with national policy but without any up to date proportionate evidence of biodiversity interest we would question whether their extent and location as shown on the relevant proposals maps have been justified.

As it stands, the wording of Policy NE4 also goes beyond the purpose of the policy which is the 'safeguarding of wildlife rich habitats and wider ecological networks'.

Policy NE4 states development will only be permitted where it would not lead to an adverse effect upon the ecological value, function, integrity, and connectivity of the strategic wildlife corridors. It does not resist development in principle and so long as impacts can be adequately mitigated it should be granted.

This policy principle therefore makes redundant policy test 1 which introduces a sequential test for preferable sites outside a corridor. The test is in conflict with the underlying purpose of the policy which is to safeguard wildlife corridors from adverse harmful impacts that cannot be mitigated. Test 1 should therefore be deleted.

Development outside or in close proximity to a wildlife corridor should not be subject to the policy requirements of NE4 either and the designation should end at its boundary. 'Close proximity' is vague and would introduce uncertainty to the policy. If development does not undermine the connectivity and ecological value of the corridor, then there is no proper basis for the policy restriction on such development. We therefore propose the deletion of the second part of the policy as well.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Northgate Final - <https://chichester.oc2.uk/a/sf9>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Crownhall Estates Limited & Martin Grant Homes [8115]

**Agent:** Henry Adams LLP (Mrs Rebecca Tier, Senior Planner) [8116]

#### Summary:

Object on grounds that higher level of growth could be accommodated. Plan does not address unmet need of neighbouring authorities. Allocation in Loxwood should be based on higher growth scenario.

#### Full text:

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation in relation to the land at Headfoldswood Farm, Loxwood, RH14 0SX, as shown on the attached Masterplan Promotional Document, and hereon referred to as the site.

1.2 This representation will provide a written responses in relation the questions in the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District to be delivered through an appropriate strategic allocation policy within the Council's Local Plan or through an Supplementary Planning Document (SPD).

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that we do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesignated and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth

figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given the scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the Plan relies on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst the strategy in the comments above could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent. However, due to the lack of evidence to demonstrate this, the 535 dpa figure should be capped. Given the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

3 Development in Loxwood

3.1 Our client's land is located to the west of the village of Loxwood, which is situated to the northeast of the District. The High Street (B2133) runs through the village, connecting the A281 and A272. For a detailed context appraisal of the site and masterplan vision, please see attached the Masterplan Promotional Document. The site was submitted for the Council's call for sites in February 2019 and is included in Council's latest HELAA.

3.2 The Draft Local Plan defines Loxwood as a service village with local facilities and services, these include an infant and junior school, as well as a medical practice, a local shop and community facilities, including a village hall. The village has been identified in the Local Plan as a suitable location for a higher level of growth as it has suitable HELAA sites which could come forward through the Neighbourhood Plan process.

3.3 It is agreed that a strategic expansion to the west of Loxwood is the best option for growth in the north-eastern area of the District as there are fewer constraints within Loxwood in comparison to other villages within the north-eastern area of the District.

3.4 Policy A15 of the Draft Local Plan states that land will be allocated within the revised Loxwood Plan for a minimum of 220 dwellings and supporting facilities and infrastructure. This is based on a downwards adjustment scenario for Loxwood, but it should be noted this figure is closer to the lower growth scenario of 200 dwellings.

3.5 The Council acknowledges in the SA that the highest growth scenario of 1.650 homes could be justified but there are concerns regarding the deliverability of homes due to the potential scale of allocations to meet the higher growth figure which in turn could affect the Council's ability to deliver the housing within the five year period. However, the Plan currently seeks

to allocate reasonably sized housing allocations on a number of small-scale housing sites which by this logic could equally affect the Council's ability to meet the Council's five year housing supply. It is recommended that the middle, higher growth scenario of at least 825 homes is sought, which would allow for meaningful growth in order to meet the needs generated by the new community, such as the identified primary school. The higher housing figure would also provide the benefit of more affordable housing provision for the north-eastern area of the District.

3.6 Loxwood Parish Council have produced a revised Draft Neighbourhood Plan which seeks to allocate 126 dwellings plus 17 carried forward from the Made Loxwood Neighbourhood Plan, providing a total of 143 dwellings. The Draft Neighbourhood Plan was submitted to the Council under Regulation 14 in December 2020. It is noted in response to the Reg 19 Local Plan consultation, that Loxwood Parish Council will be objecting to policy A15 and the increased housing numbers of 220 dwellings on sustainability grounds, with specific reference to water neutrality. The recent Parish Council meeting notes also indicate that there is currently little appetite to undergo another Neighbourhood Plan review, which will likely require additional resource and cost.

3.7 There is concern that relying on the Neighbourhood Plan to allocate specific sites in Loxwood, will result in unnecessary delay to delivery of housing in this area given the points raised above. Policy A15 is not therefore considered precise and does not provide any clear timetable for delivery in housing within Loxwood within the Plan period. It is therefore recommended that the allocation of housing sites in Loxwood should be based on a higher growth scenario of at least 825 homes which should be delivered either through a Local Plan policy allocation or within an SPD, with a clear timetable of when the SPD will be produced by the Council.

Water Neutrality

3.8 One of the constraints of the north-east of the District is the requirement is for all new development to meet water neutrality, to ensure that any new it does not impact further on the habitat site comprising the Arun Valley Special Area of Conservation (SAC) or the Arun Valley Special Protection Area (SPA) & Ramsar site, in terms of groundwater abstraction within the Sussex North Water Supply Zone. It is anticipated that further advice and a mitigation strategy will be created by the Council and its partners to demonstrate how developments can achieve water neutrality. However, at present applicants are required to provide a water neutrality strategy to demonstrate how the development can achieve water neutrality.

3.9 To provide the Council with reassurance that the site is deliverable despite this constraint, our client has commissioned an initial water strategy based on a development of approximately 250 dwellings which includes provision for offsetting. The initial strategy indicates that water neutrality could be achieved for development on the site through water efficient fixtures and fittings, reuse of harvested water through greywater recycling for flushing toilets and offsetting through water efficiency upgrades on an educational facility located within the Sussex North Water Supply Zone. It would therefore appear on the basis of the work undertaken to date, that it would be possible for future development on this site to achieve water neutrality.

4. General Policy requirements

Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs - object

4.1 The above policy sets out a requirement for 124 pitches across the Plan period, which is to be provided for by allocation of pitches on strategic allocation sites proposing 200+ homes.

4.2 Whilst we understand that there may be a district wide need, we understand that the underlying rationale underpinning this strategic approach is that insufficient sites came forward as part of the Council's Call for Sites process. However, whilst this tells us about availability of sites, it doesn't dictate the appropriateness of locations for gypsy traveller provision. It should also be noted that the proposed allocations would not accommodate the overall need and there is no clear quantifiable policy requirement to deliver this need. Accordingly, the approach is not considered to be robust.

4.3 What is clear is that plots are currently available in other areas of the district that have not been taken up by the Council for allocation (namely HELAA ref. HBI0028).

4.4 From our understanding there appears to be a clear absence of information regarding the requirements for pitch provision in localities and the site specific needs that are required to be met. We have not yet seen any evidence from the Council in respect of engagement with the gypsy traveller community in respect of a desire to be located on suburban residential sites – which we consider would contradict with the typical locations of gypsy traveller pitches which are located on rural sites on the periphery of rural settlements.

4.5 Due to the scale and form of the site and specific access names (larger HGVs for static homes and touring caravans) it makes it very difficult to design and suitable means of access that does not appear overly engineered, within a residential housing estate. No consideration appears to have been given to how this can be accommodated within such a site.



4.6 At this time, we consider it would not be appropriate to include such provision until further evidence has been provided on suitability of the approach, need in this specific location and suitability as part of housing allocation of this scale, with a single point of access.

4.7 On the basis of the above, we object to the proposed policy requirement.

#### 5. Conclusion

5.1 Our client's land is ideally placed to be able to fulfil the sustainable expansion to the west of Loxwood and the much needed, identified housing within the north-eastern plan area. The site measures 57.334 hectares and can be considered as a strategic housing site, west of Loxwood, that would deliver a higher growth of housing within this village and would appear to be able to meet water neutrality requirements. This would also support the viability of the services and facilities in the northern villages. This could include a sustainable addition to the existing village of Loxwood, result in significant enhancements to its existing services and facilities, improved links along, and connectivity to the Wey & Arun Canal and provision of at least 825 homes.

#### Change suggested by respondent:

Object on grounds that higher level of growth could be accommodated. Plan does not address unmet need of neighbouring authorities. Allocation in Loxwood should be based on higher growth scenario.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sfb>  
Masterplan promotion document - <https://chichester.oc2.uk/a/sfc>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

#### Summary:

If the recommendations within the policies are to be adhered to the 10,300 number is not viable or deliverable The danger, therefore, is that these recommendations will be superseded by 'exceptional circumstances' and the policies will be overridden. 87% of the housing is in the East/West corridor which will impact on Chichester Harbour AONB, already in decline.

#### Full text:

If the recommendations within the policies are to be adhered to the 10,300 number is not viable or deliverable The danger, therefore, is that these recommendations will be superseded by 'exceptional circumstances' and the policies will be overridden. 87% of the housing is in the East/West corridor which will impact on Chichester Harbour AONB, already in decline.

#### Change suggested by respondent:

Reduce the housing numbers.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Mr David Lock and Ms Melanie Jenkins [7930]

**Agent:** Mr Jonathan Lambert [7926]

#### Summary:

To support the environmental, social and economic sustainability of the district the local plan should, as a minimum, provide for the full identified housing need of 11,484 dwellings over the plan period.

However, the draft local plan fails to provide for the full housing need and Duty-to-Cooperate discussions have failed to resolve the shortfall. Therefore, there remains an unmet housing need of 1,134 dwellings which the draft plan does not address.

**Full text:**

Paragraph 11b of the National Planning Policy Framework indicates that policies should, as a minimum, provide for objectively assessed needs for housing, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 60 of the NPPF sets out that in order to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.

To establish the minimum number of homes needed, paragraph 61 sets out that strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.

Paragraph 66 goes on to set out that strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need can be met over the plan period.

Berkeley supports the identified housing need of 11,484 homes over the plan period, which equates to 638 per annum, calculated using the Standard Method and referenced in paragraph 5.1 of the Local Plan. However, it should be noted that this does not include any allowance for assisting with unmet need from the part of the South Downs National Park within Chichester District.

Policy H1 sets a housing requirement of 10,350 homes during the plan period, equating to 575 dwellings per annum.

As such, a shortfall of 1,134 dwellings exists against the calculated housing need. The plan seeks to justify this shortfall at paragraph 5.2 as a result of perceived constraints across the district, including the capacity of the A27.

The draft plan and evidence base provides limited justification for this shortfall. Berkeley therefore considers that, having regard to paragraph 11(b) of the NPPF, the draft plan fails to provide a strong reason for restricting the overall scale, type or distribution of development based on the application of policies in the Framework that protect areas or assets of particular importance.

Chichester Council have produced a Duty to Cooperate Statement of Compliance as part of their Local Plan evidence base. Whilst it has been demonstrated that the Council have attempted to establish if any neighbouring authorities can accommodate the Council's unmet need, no local authorities have indicated that they are able to accommodate some of the unmet need, as referred to in paragraph 5.21.

As a result, the responsibility falls back to Chichester District Council to fulfil the unmet need within its own boundaries.

Fundamental to the soundness of the local plan and the future environmental, social and economic sustainability of the district is the need for the local plan to plan positively to meet the housing needs of the district in full.

Berkeley does not support this lower housing requirement than the identified need on the basis that the Local Plan has failed to identify sufficient grounds upon which to diverge from the District's housing need. Additionally, Berkeley believes there is greater capacity for suitable housing growth at Chichester City than has been identified in the draft plan.

The housing requirement of 10,350 is capacity led and has been reached given constraints such as the capacity of the A27. Additional capacity for development can be identified in the HELAA that is well located in relation to Chichester City which can assist the Council in delivering a housing supply closer to the identified need of the District and continue to accord with the spatial strategy of Policy S1.

It is important to note that the Inspectors Report for the Worthing Local Plan (October 2022) emphasises meeting housing needs as the 'most important and pressing of all strategic issues'. Chichester Council should therefore utilise as much available capacity as possible to contribute to meeting their housing need.

Berkeley does not consider that the evidence provided to suggest this additional capacity cannot be brought forward demonstrates strong reasons why the overall scale of growth in the district should be restricted.

**Change suggested by respondent:**

To assist in providing the necessary additional level of growth in the district, there is a need to recognise the suitability of additional sites on the edge of Chichester City, through the allocation of additional housing sites such as land at Raughmere Farm in Lavant Parish.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

There appears to be no assessment of the need for those people who are not travellers but cannot afford to live in a permanent dwelling but need to live in a caravan or those who may live on houseboats. The Housing and Planning Bill 2016 contains a to consider the needs of people residing in or resorting to a district with respect to sites for caravans and the mooring of houseboats as part of that requirement.

How this their need addressed in the Plan?

**Full text:**

There appears to be no assessment of the need for those people who are not travellers but cannot afford to live in a permanent dwelling but need to live in a caravan or those who may live on houseboats. The Housing and Planning Bill 2016 contains a to consider the needs of people residing in or resorting to a district with respect to sites for caravans and the mooring of houseboats as part of that requirement.

How this their need addressed in the Plan?

**Change suggested by respondent:**

The Plan needs to address the needs of all groups

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

No sound basis for the lower figure now suggested which has arisen from political pressure and is not supported through previous evidence provided by the council and earlier consultation stages.

**Full text:**

No sound basis for the lower figure now suggested which has arisen from political pressure and is not supported through previous evidence provided by the council and earlier consultation stages.

**Change suggested by respondent:**

Meet the required figure of 638 dpa along with the unmet need within the SDNPA of 40 dpa

Increase provision in the east - west corridor where there is a good bus service and railway stations.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Gleeson Strategic Land (Mr Peter Rawlinson, Strategic Planner) [855]

**Summary:**

The constrained housing supply of 575 dpa falls short of the identified housing need of 638 dpa for the district. The plan no longer allows for unmet needs from the South Downs National Park due to transport constraints. The Local Plan Transport Study has significant matters that have not been considered by the Council. The Council should be looking to meet at least its full identified need of 638 dpa, plus an additional buffer to accommodate unmet need from South Downs National Park. Increasing the annual requirement to 712 dpa. Site promoted at Land West of Clay Lane, Fishbourne.

**Full text:**

c) Meeting Housing Needs

i) The Housing Requirement

2.22 Para 5.2 of the draft Local Plan identifies a constrained supply figure of 575 dpa is proposed, below the identified housing needs for the District which is calculated at 638 dpa (through the Standard Method). This equates to a shortfall of 1,134 dwellings against identified housing needs across the Plan period of 2021 – 2039 or circa. 10% of the identified housing needs.

2.23 Moreover, the draft Plan no longer seeks to provide an additional allowance for accommodating unmet need arising from the South Downs National Park. The draft Plan notes that this is due to constraints arising from transport capacity, in particular, the operational capacity of the A27 Chichester by-pass which forms part of the Strategic Road Network governed by National Highways.

2.24 However, we consider this position is not positively prepared and is unjustified, and therefore results in a Plan which is not "sound".

2.25 This is because on a review of the Local Plan Transport Study (January 2023) (LPTS) there appear to be significant matters which have not been considered by the Council which would allow identified housing needs to be achieved in full. This includes:

- The LPTS and draft Local Plan makes no allowance for the RIS 3 funding review, which is due to be concluded in 2023/24. The A27 has previously been identified as a location for government investment (circa. £100m), with the funding only withdrawn as it was not possible to get consensus between local authorities. However, it is reasonable to assume that an award of funds is likely through RIS 3. An award of fund through RIS3 would significantly increase network capacity on the A27, which in turn would enable greater levels of growth to be realised – it is noted that the LPTS sensitivity testing demonstrates an additional 165 dpa can be achieved with the delivery of the full mitigation package.;
- The modelling underpinning the LPTS may overestimate the amount of traffic that is likely to be generated by the planned growth strategy. A blanket trip rate may not be reflective of the nature and location of identified developments, and no allowance has been made for the internalisation of trips within strategic sites, and the allowance made for sustainable travel (5%) does not correspond with WSCC Travel Plan targets (10%);
- The baseline traffic flows informing the modelling has a 2014 base, with further validation undertaken in 2018. Changes to traffic flows as a result of behavioural change since the Covid-19 pandemic will therefore not be reflected in the assessment;
- In the period since the modelling informing the LPTS has been undertaken, future traffic growth has been reforecast by the Department for Transport and subsequently released in December 2022. The forecast growth is considerably lower than that used to inform the LPTS, and thus the assessment overestimates future year base line flows;
- No additional modelling of a 700 dpa strategy with the reduced mitigation package has been undertaken. It has not been demonstrated that the proposed package of measures cannot accommodate an uplift in dpa;
- The mitigation strategy appears to go beyond mitigation of the development impacts and result in an improvement of conditions beyond the baseline flows. This would suggest that there is headroom in the strategy to accommodate an uplift in dpa, even without improvements at Stockbridge;
- There is a significant difference in the costing outputs of the mitigation strategy prepared by Stantec, as authors of the LPTS, and the CDC-WSCC revisions. It is not unreasonable to assume that the Stantec costings are accurate, given its experience of such infrastructure and that the exercise was informed by National Highways, who govern the A27 as part of the Strategic Road Network. Further consideration should be given as to whether the uplifted costs presented by CDC-WSCC are accurate.

2.26 We therefore consider that the CDC should be looking to meet at least its full identified need of 638 dpa, plus an additional buffer to accommodate unmet need from South Downs National Park, which was identified as circa. 40 dpa in the Preferred Approaches consultation (December 2018). In addition, an appropriate buffer (i.e. 5%) should also be applied to ensure there is a realistic prospect of meeting housing needs.

2.27 If CDC was to adopt this approach, it would result in an increased requirement of 712 dpa, or 12,816 dwellings over the course of the Plan period.

Based on the currently identified supply of 10,359 dwellings, a further circa. 2,500 homes would need to be identified and allocated through the Plan to address this uplift.

2.28 In meeting this additional need, re-consideration of locations previously identified in the Preferred Approaches consultation as sustainable / suitable locations for growth, such as Fishbourne, would clearly be required.

#### ii) Components of Supply

2.29 Policy H1 (Meeting Housing Needs) identifies that the total supply across the Plan Period (of 10,359 dwellings) is comprised of:

- Completions 2021/22 – 712 dwellings;
- Known commitments:
  - o Outstanding 2015 Local Plan and Site Allocations DPD 2014 – 2029 allocations without permission – 2,210 dwellings;
  - o Outstanding 'made' Neighbourhood Plan allocations without planning permission – 100 dwellings; and
  - o Planning permission as of 01 January 2023 – 3,364 dwellings.
- New Strategic Locations / Broad Locations for Development and Allocations without planning permission – 3,056 dwellings;
- Non-Strategic Parish Housing Requirements without planning permission – 260 dwellings; and
- Windfall (small site allowance) – 657 dwellings.

2.30 A significant proportion of the above 'known commitments' (circa. 21%) comprise outstanding allocation from the 2015 Local Plan and 2014 Site Allocations DPD. These allocations, that do not benefit from planning permission, have simply been 'carried forward' from previous Plan-making exercises. Given the time which has elapsed since these allocations were previously considered and adopted, and the lack of progress being made in delivering homes at these allocations, the Council should satisfy itself that these allocated sites remain suitable and deliverable locations for re-allocation in the draft Plan. It is considered that the approach of carrying these allocations forward and re-allocating them within the draft Local Plan without evidence to confirm they remain deliverable or developable renders these allocations as unjustified. Clearly, if there is insufficient evidence to confirm these sites are deliverable or developable, then this brings into question whether re-allocating these sites in the draft Plan is an effective strategy for addressing growth requirements.

2.31 Further, of the above components of supply in Policy H2 (Strategic Locations / Allocations) 2,150 dwellings (circa. 21%) are attributed to broad locations (in the case of 1,050 dwellings in Southbourne) or neighbourhood planning areas (for the locations of Chichester City, Nutbourne and Hambrook, Loxwood, Boxgrove, Fishbourne, Kirdford, North Mundham, Plaistow and Ifold, Westbourne, and Wisborough Green) where specific sites will be allocated through Neighbourhood Plans or a subsequent Development Plan Document.

2.32 As indicated by the Housing Trajectory at Appendix E of the draft Local Plan there is a clear need for new allocation sites to come forward quickly, especially as existing sites under construction are scheduled to (in the main) conclude within the next 3 – 5 years.

2.33 We consider there is a significant risk from the current strategy which effectively postpones identifying site specific allocations for over 1/5 of the current housing requirements until further Plan-making exercises are completed. As currently drafted, we consider the strategy is not positively prepared, nor would it be effective in addressing housing needs over the Plan period.

2.34 We consider this could be rectified through the identification and allocation (through the emerging Plan itself) of additional suitable sites, such as Gleeson's site in Fishbourne as detailed in Section 3.

#### Recommended Change

2.35 In view of the above, we proposed the following changes:

- 1) Increase the Policy H1 housing figure to at least 712 dpa (12,816 dwellings over the plan period) to meet the standard method figure in full; to help meet unmet needs arising within the South Downs National Park; and to provide a 5% delivery buffer:

Housing Figure Element Dwellings Per Annum Dwellings between 2021 and 2039

Standard Method 638 11,484

South Downs National Park Unmet needs Allowance 40 720

5% Delivery Buffer 34 612

Total Housing Figure 712 12,816

- 2) Increase the Policy H1 East-West Corridor sub-area housing provision figure from 8,717 dwellings to 11,174 dwellings between 2021 to 2039.
- 3) Update the Policy H1 components of housing supply figures, in particular the 'Category b Known commitments' following a critical review of the deliverability of the respective supply sites.

#### Change suggested by respondent:

We proposed the following changes:

- 1) Increase the Policy H1 housing figure to at least 712 dpa (12,816 dwellings over the plan period) to meet the standard method figure in full; to help meet unmet needs arising within the South Downs National Park; and to provide a 5% delivery buffer:
- 2) Increase the Policy H1 East-West Corridor sub-area housing provision figure from 8,717 dwellings to 11,174 dwellings between 2021 to 2039.
- 3) Update the Policy H1 components of housing supply figures, in particular the 'Category b Known commitments' following a critical review of the deliverability of the respective supply sites.
- 4) Re-consideration locations previously identified in the Preferred Approaches consultation as sustainable / suitable locations for growth, such as Fishbourne.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snp>  
 Appendix A - Wildlife Corridor Technical Note - <https://chichester.oc2.uk/a/snq>  
 Appendix B - Illustrative Masterplan - <https://chichester.oc2.uk/a/syr>  
 Appendix C - LVIA - <https://chichester.oc2.uk/a/sys>  
 Appendix D - Transport Assessment - <https://chichester.oc2.uk/a/syt>  
 Appendix E - Flood Risk Assessment - <https://chichester.oc2.uk/a/sy3>  
 Appendix F - Nutrient Neutrality Assessment - <https://chichester.oc2.uk/a/sy4>  
 Appendix G - Ecological Appraisal - <https://chichester.oc2.uk/a/sy5>  
 Appendix H - Arboricultural Impact Assessment - <https://chichester.oc2.uk/a/sy6>  
 Appendix I - Archaeological Desk Based Assessment - <https://chichester.oc2.uk/a/sy7>  
 Appendix J - Phase 1 Geo-Environmental Desk Study - <https://chichester.oc2.uk/a/sy8>  
 Appendix K - Phase 2 Geo-Environmental Site Investigation - <https://chichester.oc2.uk/a/sy9>

## Object

**Document Element:** Policy H1 Meeting Housing Needs  
**Respondent:** Welbeck Strategic Land IV LLP (Welbeck Land) [7953]  
**Agent:** Miss Jess Bain [7952]

**Summary:**

Policy H1 identifies a housing requirement of 10,350 new homes across the plan period. Based on the components part of this policy, it is expected that a total of 10,359 new homes will be delivered. We consider that this buffer provides a lack of flexibility especially as the overall housing requirement is expressed as a minimum within Policy H1.

**Full text:**

Policy H1 identifies a housing requirement of 10,350 new homes across the plan period. Based on the components part of this policy, it is expected that a total of 10,359 new homes will be delivered. We consider that this buffer provides a lack of flexibility especially as the overall housing requirement is expressed as a minimum within Policy H1.

**Change suggested by respondent:**

The Council should look to optimise housing delivery in parts of the district which are not affected by the constraints of the A27 and have the ability to assist in addressing other issues (e.g. meeting unmet need from the part of the district that falls within the South Downs National Park). As such, we consider it essential for the North of Plan Area to make a more significant contribution towards housing supply.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** 230315 - Reg 19 Representations.pdf - <https://chichester.oc2.uk/a/s4n>

## Object

**Document Element:** Policy H1 Meeting Housing Needs  
**Respondent:** Spiby Partners Ltd [7301]  
**Agent:** Henry Adams Planning Ltd (Ms Ellie White) [7536]

**Summary:**

Understand approach taken in selection of sites to meet 535 dpa figures but significantly lower than standard method figure of 638 and previously consulted figure of 650 dpa. Paragraphs 5.6.5 and 11.2.3 of Transport Study indicate 700 dpa could be accommodated (in southern plan area) by mitigation proposed for 535 dpa scenario plus additional mitigation at the Portfield roundabout. Council do not appear to have considered that increased housing requirement could assist with funding necessary highway improvements and this should be further reviewed in order to aim to meet minimum of 638 dpa. Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities.

**Full text:**

## 1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Spiby Partners. The submission covers the general principles of the Local Plan but has a focus on Land east of Foxbridge Drive and south of the B2145, Hunston. The land is shown on the attached plan HA Appendix 1: Site Location Plan, and hereafter referred to as 'the site'.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

## 2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Local Plan or at least through the allocation of numbers to the Parish, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1: Spatial Strategy, sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1: Meeting Housing Needs sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

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2.5 The SA discusses the potential growth scenarios and confirms two points:

- (i) Standard method housing figure for Chichester (excluding South Downs National Park) is 638 dwellings per annum, or 11,484 in total over the Plan period; and
- (ii) The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa).

2.6 Of particular note is that point ii. seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. It should be noted here that the 435 dpa figure within the 2015 Local Plan was below the identified need of 505 dpa. This reduced housing figure was accepted on the basis of an early review, but this early review did not take place.

2.7 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan figure, amounting to 575 dpa. This is lower than both the standard method figure of 638 dpa and the previously consulted Preferred Approach figure of 650 dpa which accommodated some unmet need from the South Downs National Park Authority.

2.8 This draft Local Plan seeks to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network and constraints on Waste Water Treatment Works. The Council therefore arrive at a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

2.9 The Transport Study (January 2023) is the key document on which the Council rely to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study notes that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works.

2.10 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure in the Transport Study, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF, do not appear to exist and the Plan could be considered unsound on this point alone.

2.11 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need. This is 6

of relevance given that the previous Local Plan underprovided against the OAN, and when considering the scale of development expected for adjoining authorities, including the highly constrained SDNP.

Given that it is not accepted that the A27 capacity matters present a ceiling in terms of housing delivery, it is not accepted that the Plan and associated SA demonstrate that reasonable alternatives have been considered. The plan is not therefore positively prepared, nor is the approach to housing figures justified.

Effective?

2.12 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.13 It should also be noted that the Plan does rely on the delivery of Neighbourhood Plan and/or Small Site Allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.14 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst the comments are noted above that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the Supplementary Development Plan Documents in order to help ensure it is completed.

Is the plan consistent with National Policy?

2.15 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify the alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

3 Duty to Cooperate

3.1 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

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3.2 The draft Plan does not address any need requirements in relation to unmet housing need of neighbouring authorities. Nor does it contain evidence to suggest that these matters have been discussed with the adjoining Authorities.

3.3 The housing figures presented do not account for unmet need from the South Downs National Park Authority. Whilst a Statement of Common Ground has been referred to, it has not been published and therefore it is not possible to determine whether the decision not to make any provision for the National Park is sound.

3.4 Further, Arun District Council has confirmed that it will be objecting to the Plan as currently proposed on the basis that it has a significant housing need. This is likely to be further influenced by Chichester not meeting its own needs, a repeat of the 2015 situation which resulted in Arun having to address some of this within its 2018 Local Plan.

3.5 If the Plan is to proceed on the basis of providing 575dpa as per Policy H1, this will amount to a shortfall of 1,100 dwellings over the plan period. Without any Statements of Common Ground, it is unclear as to how this shortfall will be addressed.

4 The Site and its suitability

4.1 The Site comprises approximately 4.25 hectares of agricultural land located to the south of the B2145 and east of Foxbridge Drive. Agricultural access is taken from the B2145 which abuts the entirety of the northern boundary. The western boundary adjoins residential property Oakdene and properties at Foxbridge Drive and Farm Close. The Site is not located within or in close proximity to any land at risk of flooding, nor is it in proximity to any heritage assets.

4.2 In policy terms, the Site is located outside but adjoining the settlement boundary to the west and is otherwise unconstrained. The latest Housing Economic Land Availability Assessment (HELAA) (2021) assessed the Site positively, with potential to deliver approximately 80 dwellings in the medium term.

4.3 In terms of accessibility, the Site is sustainably located and well connected with the local footpath and cycle network. There is a surfaced path that runs along the northern boundary of the site, largely separated from the road behind a hedge. This is not a designated footpath as it forms part of the National Cycle Network Route 2 however, it is used as such as it connects into the tow path that runs along the Chichester Canal which travels north into Chichester or south towards the sea. A footpath is also located along

the B2145, providing access to services within the village.

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4.4 The Tow Path travelling into Chichester is also part of National Cycle Network Route 2 which connects directly into the heart of the city. This then connects into other cycle networks north into Kent and west towards Portsmouth and beyond.

4.5 Initial feasibility studies determine that approximately 3 hectares of the site could be suitable for residential development. The area for development would be focused around the western boundary whilst the remaining area would comprise formal and informal open space alongside additional planting and a robust landscaping strategy that will respect the Ancient Woodland at Hunston Copse whilst ensuring net biodiversity gain and green infrastructure connectivity with the biodiversity corridors that have been identified to the north and east. Creating a landscape buffer to the east will also create a clear, defensible boundary to the village.

4.6 The allocation and development of this land would provide a number of benefits to the local community;

- > The Site is well-connected to local services and facilities, within walking distance of the village facilities such as the Hunston Store and Post Office, pub, village hall, playing fields and canoe club;

- > Para GA4.1 specifically states that traffic issues continue to cause major concerns within the parish. Being located north of the village with direct access onto the B2145 means the site would minimise additional traffic through the village;

- > Proposals would include additional footpaths north-south to ensure connectivity away from the main road whilst linking with existing footpath 188 which runs east-west around the site;

- > The Site is not subject to any environmental designations or constraints and is not liable to flooding;

- > A suitable landscaping strategy would ensure net biodiversity gain and green infrastructure connectivity with existing biodiversity corridors to the north and east;

- > A landscape buffer to the east would create a clear, defensible boundary to the north-eastern edge of the village;

- > Provision of formal and informal open space would be of benefit to residents throughout the community and to the north of the village especially;

- > The Site is not constrained and does not rely upon significant infrastructure improvements in respect of delivery;

- > Development proposals would include a mix of high-quality homes, with the potential to include starter homes, bungalows suitable for the elderly and affordable housing to meet the varying needs of the community; and

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- > Any future development would make contributions to local facilities and infrastructure.

## 5 Conclusion

5.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, this is significantly lower than the standard method figure of 638 and previously consulted figure of 650 dpa. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa scenario plus some additional mitigation at the Portfield roundabout.

5.2 The Council do not appear to have considered that the increased housing requirement could assist with funding the necessary highway improvements and thus this should be further reviewed by the Council in order to aim to meet the minimum of 638 dpa.

5.3 The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the National Park.

### Change suggested by respondent:

Increase housing number per annum, site proposed for allocation (see attachment).

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sgg>

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**Object**

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**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Heaver Homes [7940]

**Agent:** Quod (Mr Stephen Rose, Associate) [7580]

**Summary:**

Heaver Homes recommends that the plan is amended to include a firm commitment to an early review and that that review should include exploration of high-growth options that might address existing infrastructure constraints and the growing unmet housing need.

Promote site at Broadbridge.

**Full text:**

See supporting statement.

**Change suggested by respondent:**

Commit to early review, exploring higher growth options.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Broadbridge Development Potential.pdf - <https://chichester.oc2.uk/a/s4m>  
REP 4329 Heaver redacted - <https://chichester.oc2.uk/a/trw>

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**Object**

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**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

We feel that suitable and sufficient justification and rationale has been presented to bring forward the land east of Southbourne as a specific allocation in this local plan and we would question why a site that has been comprehensively masterplanned, is available, suitable, and deliverable, has not been given specificity within the emerging plan and is instead vulnerable to the delays and changes likely to be experienced with the drafting of a DPD or NP.



**Full text:**

We note that within Policy H1, there is a larger than average reliance on windfall sites to meet the overall total supply for the plan period. We would question whether sufficiently compelling evidence has informed a figure that equates to over 20% of the figure applied to strategic allocations has been set aside for a windfall allowance.

Further, we would also question the reliance on 2,210 dwellings that are currently allocated in the adopted plan/Site Allocations DPD but do not yet benefit from planning permission. Even with both of these assumptions included, there does not appear to be a significant headroom within the housing supply in the event of a delay to a strategic development or reduced levels of windfalls or sites delivered from existing applications. The delays experienced at the strategic developments at Tangmere and West of Chichester (totalling 2,900 dwellings from the 2015 adopted plan), it is clear that there is a need for sufficient housing allocations so as to not plunge the Council once again into a housing supply shortfall in the event of unexpected events. We would encourage the emerging plan to be prepared with a degree of hindsight to inform those future scenarios in which these two large strategic sites are not delivered at the rates envisaged when they first benefitted from allocation.

We acknowledge the difficulties experienced in Chichester District in meeting their historic housing need; based on a number of constraints, infrastructure delivery and the Duty to Cooperate. In particular, the Council has removed the estimated need within the area of the District within the South Downs National Park Authority. An acceptance of a lack of delivery within the National Park inevitably increases the pressure on the areas outside the National Park.

We would therefore encourage the Council to undertake a review of the district's housing needs immediately following adoption of the 2021-2039 Local Plan, which takes into account forthcoming census-based household and population projections and is subject to the current proposed changes to the National Planning Policy Framework.

The emerging Local Plan proposes 535 dwellings per annum (dpa) set against an objectively assessed need of 638dpa, which in itself is a reduction on the standard method calculation due to the portion of the District within the SDNP. The deficit between OAN and the 535 adjusted figure equates to a shortfall of more than 1,000 dwellings. It cannot be argued that the plan has been positively prepared when it proposes both an unjustified reduction in its own housing delivery and a failure to accommodate unmet need from SDNP, based on the transport evidenced outlined in the accompanying note it is apparent that there is significant headroom in the strategy to accommodate an increase in dwellings per annum to at least allow CDC to meet their OAN with an appropriate buffer.

This DPA reduction has been justified by the Council based primarily on operational capacity constraints of A27. However, the accompanying transport response from i-Transport demonstrates the Council's justification for reducing their housing delivery per annum has in fact been based on out-of-date traffic modelling, overestimates background traffic growth, utilises ineffective parameters for traffic generation in the face of sustainable travel, fails to seek other funding sources for transport improvements and does not provide modelling data of the proposed mitigation package within the constraints level of housing delivery proposed by the plan. Sensitivity testing within the Council's LPRTA (Jan 2023) demonstrates that a delivery of 700 dwellings per annum could be accommodated, a figure significantly higher than the adjusted figure from CDC. The unevicenced assertions regarding the constraints posed by the A27 results in the justification for constraining housing delivery being undermined; the plan risks being found not sound as a result of this, and we propose that additional capacity is found within appropriate sites such as land east of Southbourne to help address this risk. CDC has struggled with a precarious housing land supply, with the most recent assessment resulting in a shortfall of 176 dwellings. Within the housing supply for the upcoming plan period, over 20% of these are sites without the benefit of planning permission that have been carried forward with no recent evidence of deliverability or suitability. The risks, based on historic underdelivery, result in this strategy not being positively prepared and failing to be supported by robust and recent evidence. Further, based on recent appeal decisions overturned on the grounds of an unstable housing supply, it is apparent that the reliance of Chichester District Council's on interim housing policies is not a long-term or sustainable solution. The likely need during the upcoming plan period for interim housing policies is an approach that is wholly unsustainable and would be inappropriate and ineffective to maintain throughout the plan period.

Policy H2 allocates 1,050 dwellings at Southbourne with the allocation of the site to be identified through either the neighbourhood planning process or subsequent Site Allocation DPD. We recommend that the plan be prepared with sufficient flexibility to allow for this (and potentially other) broad locations of development to provide additional housing than prescribed within the current emerging plan.

The Southbourne Neighbourhood Plan had initially allocated 1,250 dwellings on land east of Southbourne, prior to concerns being raised by the Examiner (based on a pre-emption of the emerging local plan). The Examiner did not conclude that the proposed allocation was unsustainable for growth or inappropriate in size, but simply that the timing of the Neighbourhood Plan was too early against the emerging Local Plan timetable which had unfortunately been delayed. Indeed, the draft policy A13 includes a wide range of facilities and requirements that can be more comprehensively and fully met with some flexibility over the final quantum of development. Furthermore, through a masterplanning design-led approach, it may be that a higher quantum of development is deemed appropriate in any event.

We continue to recommend that the land east of Southbourne (Policy A13 in emerging LP) is identified for mixed use development as the most sustainable and appropriate location for development at Southbourne, as was acknowledged within the draft submitted Neighbourhood Plan previously.

One aspect of the delivery in Southbourne that will need some further consideration is the follow-up process, post-adoption of the Local Plan. The draft policy identifies the need to formally allocate a site within either the neighbourhood planning process or subsequent Site Allocation DPD. It is worth noting that despite valid attempts by the Southbourne Neighbourhood Plan to allocate land East of Southbourne, they were prevented from doing so by the recommendations of the Examiner. In order to protect their community from speculative allocations (and in direct response to the recommendations of the Examiner), the NPG has proceeded with a plan with zero allocations. If a new NP is to be prepared to inform which areas of Southbourne will be subject to the overarching BLD policy, it will be the neighbourhood planning group's fourth attempt at doing so. Whilst we are confident that the NPG will be proactive in their efforts to secure a comprehensively masterplanned residential scheme in Southbourne, this community has gone far beyond what many others have in seeking to plan for their community. There is therefore a risk that they will decide to not prepare a new NP. In this instance, Chichester District should provide timescales for the preparation of the Site Allocations DPD post-local plan adoption and also assess the impact of this on the overall housing trajectory. In the event the NPG once again proactively seek to plan for this new allocation, they should be given every support by the District Council. Alternatively, we recommend that a specific site in Southbourne should be identified at this stage, reducing any reliance on a secondary policy mechanism. Given the level of detail within the draft wording for the BLD policy within Southbourne it is unclear whether there are any benefits to leaving allocation to a DPD or NP document. We feel that suitable and sufficient justification and rationale has been presented to bring forward the land east of Southbourne as a specific allocation in this local plan and we would question why a site that has been comprehensively masterplanned, is available, suitable, and deliverable, has not been given specificity within the emerging plan and is instead vulnerable to the delays and changes likely to be experienced with the drafting of a DPD or NP.

We broadly support the Council's emerging policies regarding affordable housing, housing mix and tenure, design and sustainability.

**Change suggested by respondent:**

We continue to recommend that the land east of Southbourne (Policy A13 in emerging LP) is identified for mixed use development as the most sustainable and appropriate location for development at Southbourne, as was acknowledged within the draft submitted Neighbourhood Plan previously. . We feel that suitable and sufficient justification and rationale has been presented to bring forward the land east of Southbourne as a specific allocation in this local plan and we would question why a site that has been comprehensively masterplanned, is available, suitable, and deliverable, has not been given specificity within the emerging plan and is instead vulnerable to the delays and changes likely to be experienced with the drafting of a DPD or NP.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

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**Object**

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC objects to this policy as it includes parish housing allocations. Please refer to response for Policy H3.

**Full text:**

WGPC objects to this policy as it includes parish housing allocations. Please refer to response for Policy H3.

**Change suggested by respondent:**

WGPC objects to this policy as it includes parish housing allocations. Please refer to response for Policy H3.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

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**Object**

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

We feel that the proposed volume of housing delivery is too high for the capacity of the district to deliver it sustainably, without causing significant harm to protected sites, landscapes and communities.

**Full text:**

We feel that the proposed volume of housing delivery is too high for the capacity of the district to deliver it sustainably, without causing significant harm to protected sites, landscapes and communities. The proposed development is squeezed into a small geographic area along the east-west corridor especially, sandwiched between the Chichester Harbour AONB and South Downs National Park, harming both through the loss of interconnectivity both in terms of biodiversity and landscape views. This concentrated development places an undue burden on the available infrastructure (particularly water treatment and road transport) and is an unsustainable use of highly productive farmland on the south coast plain. We believe this approach is incompatible with wider government ambitions around environmental and climate change management.

**Change suggested by respondent:**

The housing allocation for the District needs to be significantly reduced, with less reliance on bringing forward greenfield sites.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/tr7>

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**Object**

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Hallam Land Management Limited [1696]

**Agent:** LRM Planning Ltd (Miss Kate Coventry, Senior Planner) [6627]

**Summary:**

Proposal to reduce overall housing supply not supported, by limiting amount of housing, will be fewer schemes contributing to required infrastructure improvements. Without developer contributions to fund wholesale upgrades to infrastructure, risk of pushing problem down the line for next Local Plan to address, whilst problems with affordability and aging population are further exacerbated. All future schemes will be required to mitigate their impact on infrastructure including highways and utilities, and there is an opportunity for small to medium scale sites to be delivered in short term whilst larger allocations and/or majority of larger allocations await upgrading of these works.

**Full text:**

1 Introduction

1.1 These Representations have been prepared on behalf of Hallam Land Management Limited (hereafter 'Hallam'), in response to the Chichester Local Plan Review Proposed Submission Plan consultation.

1.2 Hallam is a strategic land promotion company operating throughout England, Wales and Scotland delivering land for new employment and commercial premises, housing, including specialist elderly housing, and mixed-use developments. Hallam has been acquiring, promoting, developing and trading in land since 1990. During that time, the company has established an outstanding record in resolving complex planning and associated technical problems in order to secure planning permissions for a whole range of different land uses to facilitate the delivery of new development.

1.3 Hallam control land to the west of Southbourne, to the north of the A259 and south of the railway line. Development of this land for new housing including specialist elderly accommodation, as shown in the accompanying Vision Document, would be consistent with the established Spatial Strategy; which is rightly retained in the consultation document. Similarly, development would contribute towards meeting the future housing needs of the District within the proposed Broad Location for Development (BLD) at Southbourne.

1.4 These Representations set out our support for the BLD drawn on the key diagram to the west and east of Southbourne. However, Hallam are seeking amendments to Policies S1, H1, H2, H8 and A13 to ensure that: the overall housing needs are met across the District, including early delivery and specialist accommodation; the flexibility sought early in the Submission Plan, at Policy S2 and H1, is carried through to the strategic allocations and locations; and, the BLD is distributed to the west and east of Southbourne.

1.5 Moreover, Hallam are proposing the allocation of small and medium scale sites at Southbourne within the Local Plan, to enable early delivery of housing and infrastructure, with the land under their control a suitable site for this allocation. Should the Council not allocate these sites, then the strategic allocations/locations policies need to be updated to reflect the requirement for the delivery of small and medium scale parcels which could form part of the larger sites.

1.6 In the context of the above, it is instructive to note that Chichester District has an older population than national average, which has been predicted to increase by 42% between 2021- 2039. The increasing need for specialist accommodation should be addressed through specific allocations within the Local Plan, rather than the proposed approach of Policy H8.

1.7 Our response is focused on the following matters:

- The Spatial Strategy, settlement hierarchy and the distribution of development across the District;
- The overall amount of new housing required within the new plan period;
- The need for specialist accommodation;
- The status of Southbourne and the role and function it plays; and
- The strategic allocation proposed at Southbourne in Policy AL13.

1.8 In preparing the Local Plan Review, the Council will need to ensure that it complies with paragraph 35 of the National Planning Policy Framework (NPPF) (2021) which sets out four tests to ensure the plan is 'sound'. These are as follows:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet needs from neighbouring areas are accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross- boundary strategic matters that have been dealt with rather than deferred, as evidenced by statements of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.9 We are mindful that the Government has recently published a consultation concerning potential amendments to the NPPF. Paragraph 1 of that consultation document indicates that the government is committed to "building more homes" whilst Paragraph 6 explains that the government "remains committed to delivering 300,000 homes a year by the mid-2020s".

1.10 In the proposed revisions, paragraph 1 makes clear that the NPPF provides "a framework within which locally-prepared plans can provide for sufficient housing and other development in a sustainable manner." At paragraph 60 the overall aim of a Local Plan is identified as meet[ing] as much housing need as possible with an appropriate mix of housing types to meet the needs of communities.

1.11 It is clear therefore that the potential amendments to the NPPF firmly intend that Local Plans, including this one, continue to provide a sufficient supply of housing land to meet identified needs.

## 2 Objectives and Spatial Strategy

### Objectives of the Local Plan

2.1 The Submission Plan has identified key challenges and opportunities that influence future planning, across the three areas of the District, and how it aims to address these through planning policies and proposals.

2.2 Within the consultation document, the strategic objectives presented by the Council are structured into specific categories, ensuring housing and neighbourhood objectives are clearly set out for the plan period.

2.3 Amongst these is the objective to increase housing supply; increase provision of affordable housing; and promote the development of mixed, balanced and well-integrated communities. These are consistent with the NPPF's policy objective to significantly boost the supply of housing in paragraph 60. In this context, it is right that the Local Plan's development strategy is founded on this objective, ensuring sustainable development which responds to social, economic and environmental considerations that meets the needs of the plan area.

2.4 These objectives frame the policies and proposals for future development across the plan area to create sustainable neighbourhoods; this demonstrates, as a matter of principle, that the Local Plan intends to be positively prepared and justified, albeit there are limitations on how this is achieved in practice when the policies and proposals are considered.

2.5 The NPPF states at paragraph 22 that strategic policies should look ahead over a minimum 15 year period from the date of the Plan's adoption. The Local Plan aims to cover the period of 2021- 2039, which is 18 years. However, this plan has not been adopted yet and it is considered unlikely that this Local Plan will be adopted before 2024-25. Therefore, the Plan may not cover the required plan period of 15 years and the Council should extend the plan period to at least 2040 to ensure this requirement is met.

### Policy S1: Spatial Strategy

2.6 The Spatial Strategy is accompanied by the Key Diagram (Map 3.1), identifying the distribution of development and infrastructure provision across the plan area.

2.7 The strategy aims to build on the existing Local Plan, focusing growth at Chichester city, as the main sub-regional centre, and at two settlement hubs along the east-west corridor at Tangmere and Southbourne.

2.8 Policy S1 specifically identifies the broad approach to providing sustainable development, in accordance with the Local Plan Objectives, ensuring development is focused principally along the east-west corridor. It aims to distribute development in line with the settlement hierarchy, ensuring development is located in the larger and more sustainable settlements.

2.9 This accords with paragraph 20 of the NPPF which requires strategic policies to set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for housing, infrastructure, community facilities along with policies that seek to conserve and enhance the environment.

2.10 Paragraph 105 of the NPPF states that the planning system should actively manage patterns of growth in support of these objectives. With significant development being focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

2.11 Paragraph 69 of the NPPF sets out how small and medium scale sites can make an important contribution to meeting the housing requirement. Part d) identifies how working with developers to encourage the sub division of large sites could help to speed up the delivery of homes.

2.12 In this context, Policy S1 (6) outlines how non-strategic provision is made for small scale housing developments consistent with the indicative housing numbers set out in Policy H3, however this does not identify an approach to medium scale sites. Consequently, the Local Plan should allocate small and medium scale sites for residential development.

2.13 Should the Local Plan not allocate these scale sites, then there should be parcels within the BLDs identified as medium scale sites for early delivery in the plan period without prejudicing the BLDs. Policy S1 should be amended to include medium scale sites and to require flexibility to the housing target. This is discussed further in respect of Policy A13.

2.14 Policy S1 (7) states that strategic allocations and locations will be made through either this emerging Local Plan, the extant Site Allocation Development Plan 2014-2019 (or subsequent Site Allocation Development Plan Document (DPD)) and through Neighbourhood Plans. Notwithstanding the allocations in the emerging Local Plan, the most appropriate future mechanism is the Site Allocations DPD, which has to meet the 'tests of soundness' rather than 'basic conditions'. This more rigorous approach to plan making is better able to address the site selection process and assessment of delivery requirements that a strategic allocation will need to demonstrate, particularly when taking account of the scale of growth proposed at Southbourne.

2.15 Lastly, the final paragraph of Policy S1 states that to ensure that the Plan's housing requirement is delivered, "the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in accordance with this Strategy". The wording of this should be amended to state flexibility will be needed rather than may be needed, to ensure there is the ability to mitigate delays on allocations being brought forward by alternative proposals in order to meet the housing requirement over the plan period.

2.16 The use of the Authority Monitoring Report to control this is considered an acceptable approach, and policies A6 to A15 should reflect this requirement for flexibility. In practical terms, the LPA will need to consider performance in bringing forward and delivering large-scale development and enable alternative solutions where the required outcomes are not being achieved. This is discussed later in relation to Policy A13 specifically.

Policy S2: Settlement Hierarchy

2.17 The consultation document sets out a Settlement Hierarchy which is to serve as the framework for the Council to achieve its vision for the plan area, meet the scale of development required and enhance the quality of the built natural, historic, social and cultural environments, whilst sustaining the vitality of communities. This hierarchy seeks to deliver sustainable development that will support the role and function of different places within the plan area.

2.18 In this regard, Policy S2 is consistent with the NPPF acknowledging how "significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, improve air quality and public health." (paragraph 105 refers). The Settlement Hierarchy ensures that new development is located in areas where residents have access to facilities and services and a range of public transport networks.

2.19 Chichester city is identified as the Sub-Regional Centre, with four Settlement Hubs being identified at East Wittering/Bracklesham; Selsey; Southbourne and Tangmere. This is a continuation of the existing spatial strategy in the Adopted Local Plan and consistent with the principle of locating new development at the most sustainable locations.

2.20 Southbourne is rightly identified as a Settlement Hub due to its range of local services and facilities, key public transport connections and employment/educational opportunities accessible via non vehicular methods of travel. The approach to Southbourne is discussed later at Section 4 and at Policy A13.

2.21 Accordingly, this strategic policy is positively prepared and justified, and is consistent with national policy promoting sustainable patterns of development.

### 3 Overall amount of Housing

#### Policy H1 Meeting Housing Needs Housing Need

3.1 Paragraphs 60 and 61 of the NPPF state that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.

3.2 Only in exceptional circumstances could an alternative approach be justified. But even then, that alternative approach will also need to reflect current and future demographic trends and market signals.

3.3 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan period, amounting to 575dpa.

3.4 This is lower than both a. the standard method figure of 638 dpa; and, b. the Preferred Approach figure in the previous consultation, of 650 dpa which included accommodating some unmet need arising from the South Downs National Park (SDNP) area. This shortfall will amount to over 1,100 dwellings across the plan period. Without any Statements of Common Ground being published by the Council or evidence of the shortfall being accommodated elsewhere, this remains unaddressed.

3.5 It is highly germane that the current Local Plan adopted a lower housing figure than the identified need of 505dpa, proposing instead to deliver 435dpa.

#### Affordability in Chichester

3.6 The affordability ratios have risen from 12.38 in 2015, when the current Local Plan was adopted, to 14.61 in 2021 for Chichester, which is significantly higher than the current 9.1 national average, increasing the need for affordable housing within Chichester.

3.7 Between the 2011 and 2021 census, the number of people ages 50 to 64 years rose by over 3,100 (an increase of 13.4%), while the number of residents between 35 and 49 years fell by approximately 1,900 (8.5% decrease).

3.8 Chichester's worsening affordability ratios and aging population, which typically occurs in line with house price increases, demonstrate the clear need to increase the housing delivery to meet current and future needs (in line with the NPPF), and maximise the potential for housing in this District. The current strategy to suppress housing provision will only exacerbate these problems.

3.9 With the Submission Plan proposing to not meet the identified need, this once again will be an issue which moves onto the next Local Plan, failing to tackle key issues across the District such as affordability and lack of housing land supply. These issues cannot simply be moved onto the next Local Plan, they should be addressed now.

## Constraints for development

3.10 The lower figure of 575dpa reflects both the infrastructure constraints along the A27 and at the

Waste Water Treatment Works, but also no longer accommodating unmet need from SDNP.

3.11 The Transport Study (January 2023) assesses the capacity levels, with particular focus on the A27. Although the Council state that 535dpa is the highest level of development per year achievable, the conclusions of this latest Study state, at paragraphs 5.6.5 and 11.2.3, that development of 700 dpa could be accommodated (in the southern plan area) through the mitigation proposed in the previous scenario of 535dpa with some additional mitigation at the Portfield and Oving roundabout.

3.12 This Transport Study (2023) was published following the preparation of the Sustainability Appraisal which refers to the 2018 study, therefore the latest evidence on highways matters has not been considered within the preparation of this Local Plan.

3.13 This is fundamental to the Plan's approach – increasing the housing requirement could assist with funding those additional highway improvements, in line with the recommendations of the Transport Study at Section 9.3 to prioritise junctions to avoid delays to housing delivery. This should be further reviewed by the Council to ensure the District's need is not being understated. It is recommended the housing need figure is reviewed in line with this evidence and the need to meet the minimum of the standard method figure of 638dpa, and aim to return to the 650dpa previously proposed.

## Duty to Co-Operate

3.14 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

3.15 The East Hampshire Local Plan Review has identified 100dpa for the SDNP area of the District, below the identified need of 112dpa for the District's area and the overall requirement of 447dpa for the SDNP (Housing and Economic Development Needs Assessment 2017). In effect, in combination with Chichester, the National Park is needing to accommodate some 30 more dwellings per annum without any assessment as yet as to whether this can be achieved given the statutory protection that is afforded to it.

3.16 Whilst a Statement of Common Ground is referred to, it has not been published and therefore it is not possible to determine whether the decision not to make a provision for the National Park area is soundly based.

3.17 Previous evidence for the Preferred Approach demonstrated how the figure of 650dpa was achievable and necessary to help with the worsening affordability ratios across Chichester and the neighbouring authorities. Having removed provision for unmet need it is considered this plan has not been positively prepared.

## Summary

3.18 Policy H1 clearly sets out how the majority of housing is to be delivered along the east-west corridor, with 535dpa in the southern plan area and 40dpa in the northern plan area. This is consistent with the Spatial Strategy and the Settlement Hierarchy, Policies S1 and S2, and the overarching objective of locating new housing at the most sustainable locations in the plan area.

3.19 By limiting the amount of housing there will be fewer schemes contributing to the required infrastructure improvements. Without developer contributions to fund wholesale upgrades to this infrastructure there is a risk of pushing the problem down the line for the next Local Plan to address, whilst problems with affordability and an aging population are further exacerbated.

3.20 All future schemes will be required to mitigate their impact on infrastructure including highways and utilities, and there is an opportunity for small to medium scale sites to be delivered in the short term whilst the larger allocations and/or the majority of the larger allocations await the upgrading of these works.

3.21 Currently, the proposal to reduce the overall housing supply for the new plan period is not supported, and the Council should review the Transport Study with the intention of meeting the assessed level of local housing need in full. Without the identified housing requirement being met in full the problem of the younger population being unable to afford to remain in Chichester will continue, further growing the gap in workforce and an increasingly aging population.

3.22 Therefore, this policy is not positively prepared, justified or consistent with the NPPF.

## Policy H2 Strategic Locations/Allocations 2021-2039

3.23 The wording of 'at least' within Policy H1 provides flexibility on the ability to achieve the minimum amount of housing considered necessary by the Council, in line with Policy S2. Although this quantum is not agreed, the approach using 'at least' is considered a sensible approach to allow the achievement rather than under delivery of much needed open and market housing.

3.24 The strategic locations/allocations set out in Policy H2 do not reflect this flexible approach. Instead, the sites are fixed as exact number of dwellings for those locations.

3.25 Paragraph 119 of the NPPF requires planning policies to promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

3.26 Policy A13 is a BLD and is fixed at 1,050 dwellings within Policy H2, this does not allow for the masterplanning approach to further assess the actual capacity and the best use of this land.

3.27 As such flexibility should be embedded into the wording of Policy H2 to ensure that the intention of Policy S2 is achieved; the housing target of at least 10,350 dwellings across the plan period (Policy H1) is met; and the land identified for development is most effectively used.

3.28 Therefore, it is suggested that Policy H2 includes the wording "at least" before the quantum of development for any strategic location or allocation. For example, Policy A13 would instead state "at least".

## Policy H8 Specialist accommodation for older people and those with specialised needs

3.29 National Planning Practice Guidance for Housing for Older and Disabled People states how plan-making authorities should set clear policies to address the housing needs for groups with particular needs such as older and disabled people.

3.30 The Housing and Economic Development Needs Assessment (HEDNA) (April 2022) assesses the period between 2021-2039 for older people and those with a disability.

3.31 This concludes that there will be a 42% increase in the population above 65 years old, amounting to 67% of the total population growth.

3.32 The HEDNA sets out how the East-West Corridor has a higher percentage of over 65 year olds (24.7%) compared to both Chichester City (24.2%) and the Plan Area North area (23.4%).

3.33 The needs arising from this, amounts to between 2,131 and 2,872 additional dwellings with support or care, and a need for 429-800 additional nursing and residential care bedspaces. This equates to approximately 17-24% of all homes needing to be some form of specialist accommodation for older people.

3.34 In this context, the HEDNA makes an important recommendation that the Council allocate specific sites for housing with care to ensure the identified needs are met. In contrast Policy H8 is a criteria based policy that seeks specialist accommodation for older people on housing sites over 200 units based on evidence of local need.

3.35 As written, there is no confirmation on the quantum of specialist accommodation that this policy or other site allocations will secure and how the specific need for each application is calculated. Policy H8 fails to address the identified overall need clearly, as required by National guidance. Therefore, it is recommended the Local Plan allocates sites to deliver this type of accommodation as intended by the HEDNA.

3.36 This approach risks the land on these sites being unable to deliver both the expected market/affordable housing and the specialist accommodation on site.

3.37 The land under Hallam's control would be a suitable site for this type of accommodation, which is situated along the east-west corridor in a sustainable location on the edge of Southbourne.

#### 4 Southbourne

4.1 Southbourne is a key area in the District, in terms of existing development, its status as a Settlement Hub and its potential to accommodate future development.

##### Role of Southbourne

4.2 Southbourne is identified as a Settlement Hub within Policy S2.

4.3 Southbourne is located within the east-west corridor with a range of existing facilities, good transport links, and employment opportunities both to the east and the west.

4.4 As set out in the Submission Plan, Southbourne has good access to educational facilities serving the residents, including primary schools, junior schools and secondary schools. There are a number of convenience stores and other community services and facilities such as a GP practice, pharmacy and places of worship.

4.5 The Bourne Community Leisure Centre provides local residents with access to community sports facilities. Access to public open space is also good through connections to Southbourne Recreation Ground. There is potential for more open space to be provided for local residents within the Local Plan Review and the strategic allocation proposed and this approach is embedded within our own Vision Document.

4.6 A key focus of the Sustainability Appraisal and the Submission Plan is for schemes to promote a modal shift in transportation. The strong public transport links within Southbourne to the wider surrounding area allows access to employment opportunities within the east-west corridor. Southbourne has strong public transport connections to the local and wider area, through bus and train services, to areas including: Chichester, Portsmouth, Havant, Littlehampton, Brighton, Southampton and London.

4.7 For these reasons, Southbourne is rightly designated as a Settlement Hub and is eminently suitable to serve as a BLD.

4.8 The Southbourne Level Crossing Report May 2021 analyses the options for delivering the railway crossing at Southbourne. It concludes that circa 750 dwellings can be delivered north of the railway line before triggering the requirement for a new crossing. The report highlights how sites south of the rail line are not likely to impact on the level crossing and can therefore be delivered earlier than await the railway line improvements.

4.9 Therefore, in this context it would be appropriate to allocate small and medium scale sites to the south of the railway, which is less constrained by the capacity restriction on the railway crossing.

4.10 The land under Hallam's control is to the south of the railway line, would help facilitate a future new railway crossing to the north of the site, and would be of a medium scale to deliver housing early in the period plan.

##### Strategic Allocation A13

4.11 The Key Diagram appears to suggest that new development is to be located to the west and east of Southbourne, remedying the previously unsuccessful approach of focusing development only to the east. Similarly, the Key Diagram acknowledges the need for development to the south of the railway line, facilitating development north of the railway line. It is recommended the wording of the policy should be updated to reflect this diagram, as suggested below:

Provision will be made for a mixed use development within the broad location for development to the west and east of Southbourne, as shown on the Key Diagram.

4.12 Previously, the Preferred Approach consultation document set out at Policy AL13 a minimum of 1,250 dwellings at Southbourne and to be identified in the revised Southbourne Neighbourhood Plan. (emphasis added)

4.13 The Submission Plan now allocates Policy A13 for 1,050 dwellings and will be established through the making of allocation(s) in the future Site Allocation DPD or the revised Southbourne NP. This strategic allocation is to act as a mixed use extension to the existing settlement.

4.14 It is acknowledged that the land north of Cooks Lane (Application number: 22/00157/REM) received Reserved Matters approval in August 2022 for 199 dwellings, with the reduction in quantum of development for the BLD reflecting this committed development. A practical effect of this is that this consent will not contribute to the wider infrastructure requirements associated with a larger scale of development.

4.15 It is disappointing to see the phrase "a minimum of" has been removed. This conflicts with the flexibility set out earlier in the consultation document, and also reduces the potential of making effective use of the land for housing that will assist in meeting the overall need of the District.

4.16 Policy A13 prescribes a number of requirements that must be met (criterion 1 – 16). These are considerations that reflect principles of place making and sustainable development and provide a sound framework for the preparation of the allocation through either mechanism.

4.17 One of these requirements states that future development "Provide[s] any required mitigation to ensure there is no adverse impact on the safety of existing or planned railway crossings." The existing Southbourne Neighbourhood Plan, at Objective 9, outlines the issues relating to the railway crossing and the plans for addressing this challenge in the future.

4.18 Related to this is the need for the provision of "suitable means of access to the site(s), securing necessary off-site improvements (including highways) ... to promote sustainable transport options."

4.19 The combination of the requirements relating to the railway crossing and the provision of a suitable means of access show the importance of accessibility to the A27, A259 and the east-west railway line, which are the principal public transport corridors for Southbourne.

4.20 Development will be well connected to Southbourne via footway and cycle connections to the east and offers the opportunity to help realise the construction of a new strategic road and bridge link over the West Coastway Rail Line through provision of land and proportionate contributions to this scheme.

4.21 Criteria 13 ensures there will be sufficient capacity within the relevant wastewater infrastructure before the delivery of development, which addresses (for Southbourne) the identified constraints for the District in relation to housing delivery.

4.22 The remaining requirements of Policy A13 cover the quality and range of development, the provision of education, community and transport facilities, provision of public open space and green infrastructure, and the impact of development on the landscape. These are each appropriate considerations for the Site Allocations DPD.

4.23 Having regard to the above, the allocation of 1,050 dwellings for Southbourne is, in part, appropriate.

4.24 However, this policy should allow for the delivery of small or medium scale parcels of land, in accordance with the NPPF at an early stage of delivery of the wider allocation to enable prompt and timely housing at Southbourne whilst infrastructure upgrades are commenced. The Local Plan should identify and allocate these smaller scale sites to ensure these can come forward early in the plan period.

4.25 A new criteria is proposed to be included in the wording of Policy A13, stating:

(17) To identify land for early delivery on small to medium scale sites which are not constrained by the need for a new railway crossing.

4.26 Therefore, the principle of a strategic allocation for mixed use housing is considered appropriate but amendments should be made to the wording of the policy to reflect the approach to flexibility, the inclusion of small and medium scale sites, and the dispersion of development to both the west and east of Southbourne.

Southbourne Neighbourhood Plan

4.27 As set out in the paragraph 10.56 of the Submission Plan, development phasing is a key issue to address through the allocation of development sites for this BLD.

4.28 Paragraph 70 of the NPPF states that "Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites suitable for housing in their area." Southbourne Parish Council should be aware of this when allocating the strategic sites, to ensure that there are a mix of housing sites, that could come forward sooner than the principal element of the larger strategic site.

4.29 Through the preparation of the Neighbourhood Plan, the Parish Council should take into account the allocation of smaller sites, which could come forward as part of and alongside the larger strategic site. This will ensure that there is not a delay in the provision of housing within Southbourne and the plan area.

4.30 As set out previously, the most suitable mechanism for progressing the Southbourne BLD would be the Site Allocation DPD. Whether the sites are allocated through the Site Allocations DPD or the NP, there is a requirement to identify small and medium scale site.

Land to the north of Gosden Green

4.31 The land under Hallam's control to the north of Gosden Green, should either be allocated in the Local Plan as a medium scale site or should be a key component of the BLD. The site can deliver both market/affordable residential units and specialist elderly accommodation. The site will create flexibility in achieving the housing requirement of the plan area early on in the plan period.

4.32 The accompanying Vision Document demonstrates how as an early development parcel for the wider BLD, a series of key benefits in accordance with the 13 criteria of Policy A13 will be achieved.

4.33 The Proposed Submission Plan at Policy H8 identifies the need for specialist accommodation for older people and those with specialist needs. Although not set out in the Vision Document, this site can deliver, early in the plan period, much needed specialist elderly accommodation.

4.34 Figure 3 of the Vision Document presents the scheme's ability to connect into a wider masterplan for the strategic development, as it comes forward in the future. However, at the same time has the ability to come forward at an earlier rate being physically unconstrained and a well contained parcel of land.

4.35 Figure 9 provides context on connectivity, and the modal shift this scheme aims to achieve. The ability to walk to a range of services and facilities, including the train station further demonstrates the ability for the early delivery of this parcel of the BLD.

4.36 The impact of the highways network has been assessed for both a full residential scheme and specialist elderly housing, highlighting how the residential scheme will introduce approximately 55 new vehicles to the network at peak times, resulting in less than 1 car per minute in the peak hour. Either scheme will have a negligible impact on the highway network and would have a negligible impact on A27.

4.37 The site is to the south of the railway line, as previously mentioned, and would be unconstrained by the capacity constraint of the existing railway crossing.

4.38 For these reasons, the land under Hallam's control should be allocated within the Local Plan.

## 5 Conclusion

5.1 These representations are submitted on behalf of Hallam Land Management Limited.

5.2 In the context of national, local and neighbourhood planning policies, the Local Plan has an important role in providing policies and proposals for residential development to meet future needs.

5.3 The proposed objectively assessed need for housing across the plan area is not agreed, and the Council should review the latest transport evidence which currently do not demonstrate how there are exception circumstances, in accordance with paragraph 62 of the NPPF. The Council should also extend the plan period to ensure it meets the requirements of a minimum of 15 years in the NPPF.

5.4 Consistent with the established strategy to focus development in the District's east-west corridor, the Broad Location for Development to Southbourne as a Settlement Hub is, as a matter of principle, a sound proposition. Importantly the Key Diagram identifies the broad location for this development to the west and east of the settlement.

5.5 As discussed, there should be flexibility embedded into all strategic allocations, in particular those which are Broad Locations for Development

through the use of the wording "at least". This will ensure that the "at least" quantum of housing delivery is met and affords flexibility to all housing sites coming forward.

5.6 The responsibility for allocating additional development land to meet this requirement has been given to either the Parish Council through the preparation of a new Neighbourhood Plan or through the Council reviewing the Site Allocations DPD. It is recommended that for the larger strategic allocations and locations the Site Allocations DPD is the more suitable mechanism for identifying land given the need to ensure that proposals are sound.

5.7 Whilst the scale of development proposed is strategic in nature, it is entirely appropriate to consider how different development parcels might contribute towards that and in particular early opportunities that facilitate larger scale development later in the plan period.

5.8 To this end, land to the west of Southbourne and south of the railway line could be allocated as the first phase of the strategic site allocation, as a medium size site, so that this southern section of the new link road is built to enable access to land to the north. This will reduce the pressure placed on the centre of Southbourne, the highway capacity on the A27, and the existing railway crossing.

5.9 By allocating small to medium scale sites in the Local Plan, this will bring forward development at a quicker pace and ensure that the objectively assessed needs for housing across the plan area are met each year. These can be delivered without prejudice to the larger strategic allocations and locations.

5.10 Currently, the Submission Plan fails to address the increasing need for specialist accommodation, with Policy H8 failing to secure specific delivery of such housing, instead moving this matter into major development schemes with no mechanism for assessing need at that stage. It is recommended that the Local Plan allocates sites for specialist accommodation.

5.11 Hallam control land to the west of Southbourne, which adjoins the land at Gosden Green which has already been built. The land controlled by Hallam could be: allocated as a medium scale site within the Local Plan; included as part of the western strategic allocation of Broad Location for Development at Southbourne; or could be allocated for specialist elderly accommodation, ensuring land is readily available for development early in the plan period to address identified needs.

5.12 This would be consistent with the development strategy for the Plan and positively contribute towards meeting future development needs of the plan area.

5.13 These representations have demonstrated that in part the Submission Plan has been positively prepared and justified, however the key recommendations in these Representations should be followed to ensure the plan preparation accords with Paragraph 35 of the NPPF.

**Change suggested by respondent:**

The Council should review the Transport Study with the intention of meeting the assessed level of local housing need in full.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sgn>  
Vision Document - <https://chichester.oc2.uk/a/sgy>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Premier Marinas Limited [7981]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

In the interests of maximising housing delivery and satisfying the Council's objectively assessed housing needs, Policy H1 should be revised to state the housing requirement figure derived by the Government's Standard Method so as to ensure the policy is "effective" and the new Local Plan has been "positively prepared" in accordance with paragraph 35 (a and c) of the NPPF.

**Full text:**

Premier welcome the Council's housing target for the plan area is to provide for at least 10,350 dwellings (equivalent to 575 dwellings per annum) to be delivered in the period 2021-2039 including 310 non-strategic Parish housing requirements and 657 windfall site allowances. However this is below the housing requirement of 13,734 (equivalent to 763 dwellings per annum) derived from the Governments Standard Method for the same period, resulting in a significant shortfall of 3,384 dwellings, notwithstanding the fact that the Council are "now unable to accommodate any unmet need from the part of the South Downs National Park within Chichester District" (as stated at supporting paragraph 5.1 to Policy H1) which has potential Duty to Co-operate implications.

In respect to five year housing land supply (5YHLS) considerations, it is noted CDC's 'Chichester Local Plan Area – Five Year Housing Land Supply 2022-2027 (Updated Position at 1 April 2022) statement identifies a potential housing supply of 3,174 net dwellings over the period 2022-2027. This compares with an identified housing requirement of 3,350 net dwellings. This results in a shortfall of 176 net dwellings, equivalent to 4.74 years of housing supply. The Council can therefore not demonstrate a 5YHLS as confirmed by recent appeal decisions , .

In the interests of maximising housing delivery and satisfying the Council's objectively assessed housing needs, Policy H1 should be revised to state the housing requirement figure derived by the Government's Standard Method so as to ensure the policy is "effective" and the new Local Plan has been "positively prepared" in accordance with paragraph 35 (a and c) of the NPPF.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted - <https://chichester.oc2.uk/a/sxx>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Chichester Grain Ltd [7394]

**Agent:** Henry Adams Planning Ltd (Ms Ellie White) [7536]



**Summary:**

Conclusion in paragraphs 5.6.5 and 11.2.3 of Transport Study appears to be that 700 dpa could be accommodated (in southern plan area) by mitigation proposed for 535 dpa scenario plus some additional mitigation at Portfield roundabout. Council do not appear to have considered that increased housing requirement could assist with funding necessary highway improvements, this should be further reviewed in order to aim to meet minimum of 638 dpa. Council have failed to provide sufficient justification for not meeting housing need and have not suitably considered unmet need from adjoining authorities. Site proposed.

**Full text:****1 Introduction**

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Chichester Grain. The submission covers the general principles of the Local Plan but has a focus on Land at Chichester Grain Stores, Hambrook, Southbourne. The land is shown on the attached plan HA Appendix 1: Site Location Plan, and hereafter referred to as 'the site'.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

**2 Comments on Specific Questions/Tests**

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions and is the final consultation phase before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Local Plan or at least through the allocation of numbers to the Parish, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1: Spatial Strategy, sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1: Meeting Housing Needs sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

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2.5 The SA discusses the potential growth scenarios and confirms two points:

(i) Standard method housing figure for Chichester (excluding South Downs National Park) is 638 dwellings per annum, or 11,484 in total over the Plan period; and

(ii) The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa).

2.6 Of particular note is that point ii. seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. It should be noted here that the 435 dpa figure within the 2015 Local Plan was below the identified need of 505 dpa. This reduced housing figure was accepted on the basis of an early review, but this early review did not take place.

2.7 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan figure, amounting to 575 dpa. This is lower than both the standard method figure of 638 dpa and the previously consulted Preferred Approach figure of 650 dpa which accommodated some unmet need from the South Downs National Park Authority.

2.8 This draft Local Plan seeks to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network and constraints on Waste Water Treatment Works. The Council therefore arrive at a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

2.9 The Transport Study (January 2023) is the key document on which the Council rely to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study notes that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works.

2.10 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure in the Transport Study, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF, do not appear to exist and the Plan could be considered unsound on this point alone.

2.11 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need. This is

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of relevance given that the previous Local Plan underprovided against the OAN, and when considering the scale of development expected for adjoining authorities, including the highly constrained SDNP. 2.12 Given that it is not accepted that the A27 capacity matters present a ceiling in terms of housing delivery, it is not accepted that the Plan and associated SA demonstrate that reasonable alternatives have been considered. The plan is not therefore positively prepared, nor is the approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 One further concern is that the Plan relies on the delivery of Neighbourhood Plan and/or Small Site Allocations DPD. In terms of delivery, Policy H3: Non-Strategic Housing Policy Requirements 2021-2039, states the following:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above does not provide any clear timetable for commencement of a DPD and thus is not considered to be an effective approach to housing delivery.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify the alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

**3 Duty to Cooperate**

3.1 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

3.2 The draft Plan does not address any need requirements in relation to unmet housing need of neighbouring authorities. Nor does it contain evidence to suggest that these matters have been discussed with the adjoining Authorities.

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3.3 The housing figures presented do not account for unmet need from the South Downs National Park Authority. Whilst a Statement of Common Ground has been referred to, it has not been published and therefore it is not possible to determine whether the decision not to make any provision for the National Park is sound.

3.4 Further, Arun District Council has confirmed that it will be objecting to the Plan as currently proposed on the basis that it has a significant housing need. This is likely to be further influenced by Chichester not meeting its own needs, a repeat of the 2015 situation which resulted in Arun having to

address some of this within its 2018 Local Plan.

3.5 If the Plan is to proceed on the basis of providing 575dpa as per Policy H1, this will amount to a shortfall of 1,100 dwellings over the plan period. Without any Statements of Common Ground, it is unclear as to how this shortfall will be addressed.

#### 4 The Site and its suitability

4.1 Our client's site is well placed to accommodate any additional numbers required and offers a distinctively different scale of development to that proposed in the single large site allocation. It can also be delivered, whilst protecting this part of Southbourne, but also Hambrook to which is more readily relates.

4.2 The development of this land would provide a number of benefits;

- ☒ The development would include a mix of high-quality homes, including affordable to meet the varying needs of the community;
- ☒ The site is well-connected to local services and facilities, within walking distance of the post office, train station and employment;
- ☒ It would support the viability of local services and facilities;
- ☒ The site is not subject to any environmental designations or constraints and its development would not impact the South Downs National Park or Chichester Harbour AONB;
- ☒ Retention of existing boundary treatments alongside the provision of additional landscape features and open space will ensure net biodiversity gain and greater access to public open space;
- ☒ Retention of the trees and mature boundary hedgerows, particularly on the frontage to Priors Leaze Lane will retain the rural setting;
- ☒ The site is not constrained and does not rely upon significant infrastructure improvements in respect of delivery. It will ensure that where required, contributions will be made to ensure sufficient capacity is maintained for local facilities.

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#### 5 Other Policy Considerations

5.1 Policy NE4 Strategic Wildlife Corridor – object Policy NE4 states that 'Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

1. There are no sequentially preferable sites available outside the wildlife corridor; and
2. The development will not have an adverse impact on the integrity and function of the wildlife corridor and protects and enhances its features and habitats.'

5.2 We are of the view that our clients land has development potential and could be well placed to assist in the delivery of additional housing number required within the draft Local Plan and are of the view that the blanket wildlife corridor is quite extensive and should be reduced in size.

Representations were also submitted to this effect to the Southbourne Neighbourhood Plan Regulation 16 Consultation.

5.3 We acknowledge the importance of the protection of wildlife generally, and the local eco-systems, however, this submission is supported by an Ecological survey which confirms that our site should not be covered by a Wildlife Corridor to the extent currently proposed. The Wildlife Corridor should be reduced to the immediate site and not as currently proposed under Policy NE4.

5.4 The land at Chichester Grain lies adjacent to the Ham Brook Chalk Stream. The draft Local Plan introduces a Wildlife Corridor along this section of stream. It is our view that the proposed extent of the wildlife corridor is excessive and should be reduced. It is also our view that the wildlife corridor could accommodate a break to provide a means of access to our client's site, without harming the purposes of the corridor.

5.5 The recommendations of the report are to reduce the scale of the wildlife corridor and also ensure policy flexibility to allow access through these areas and appropriate requirements to enhance and mitigate against any proposed development.

5.6 In terms of the details of the site, habitats present within the site area are of low ecological value. It is noted that there are sites with intrinsic nature conservation value within the area, however, there are suitable mitigation and compensation methods which could protect these habitats.

5.7 The mitigation methods that could be proposed to remove any significant harm to ecological value of the land (which is low as existing), comprise:

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- ☒ Provision for CEMP for any proposed development;
- ☒ Retained habitats on site borders should be enhanced;
- ☒ Provision for an ecologically sensitive lighting scheme;
- ☒ Use of bird boxes within any proposed development; and
- ☒ Inclusion of Hedgehog Highways.

5.8 As shown, the land at Chichester Grain is of low ecological value, and should not be included, to the extent currently proposed, as a wildlife corridor within Policy NE4. The Council is further applying yet another restrictive 'additional layer of planning restraint' in a District which is already highly constrained by for example, AONB, National Park, numerous ecological designations, Local Nature Reserves/National Nature Reserves, Water Neutrality and Nutrient Neutrality.

5.9 Furthermore, we have set out mitigation methods which could be applied to any forthcoming application or allocation of the land, which would enhance the ecological value of the site, and protect the intrinsic value of the sites within the locality.

#### 6 Conclusion

6.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, this is significantly lower than the standard method figure of 638 and previously consulted figure of 650 dpa. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa scenario plus some additional mitigation at the Portfield roundabout.

6.2 The Council do not appear to have considered that the increased housing requirement could assist with funding the necessary highway improvements and thus this should be further reviewed by the Council in order to aim to meet the minimum of 638 dpa.

6.3 The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the National Park.

6.4 Policy NE4 introduces wildlife corridors, which could be accepted however, the supporting policy maps should be amended and the wording of the policy updated to reflect flexibility to allow appropriate breaks in the corridor for those areas that are of low ecological value, such as our Client's land.

#### Change suggested by respondent:

Reconsider housing figures, consider proposed site to accommodate additional housing number.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sh7>

Preliminary Ecological Appraisal - <https://chichester.oc2.uk/a/sh8>

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Merrow Wood [8213]

**Agent:** Intelligent Land (Mr Simon Trueick) [8009]

**Summary:**

Merrow Wood understand and accept the reasoning set out in the Submission Local Plan for the adoption of a lower housing requirement than that established by the national standard methodology. Nonetheless, the implications of this approach results in over 1,100 less dwellings across the District being planned and delivered, which puts greater pressure on those sites and locations identified for growth to deliver housing.

**Full text:**

Intelligent Land is instructed by Merrow Wood, who have been selected by the landowner to help promote the site for development, to submit representations on the Chichester Local Plan Review, Submission consultation, relating to land at Prospect Farm, Cutmill View near Bosham.

Merrow Wood understand and accept the reasoning set out in the Submission Local Plan for the adoption of a lower housing requirement than that established by the national standard methodology. Nonetheless, the implications of this approach results in over 1,100 less dwellings across the District being planned and delivered, which puts greater pressure on those sites and locations identified for growth to deliver housing.

This again puts greater emphasis on identifying sustainable locations for growth and ensuring that these can come forward in a timely manner across the plan period.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Horsham District Council (Norman Kwan, Senior Neighbourhood Planning Officer) [8126]

**Summary:**

As outlined earlier in this response, we acknowledge that land supply in Chichester is constrained, and that CDC meeting the full housing requirement within its administrative boundary during the plan period up to 2039 would be challenging. Horsham District is not however in a position to accommodate any of Chichester District's unmet housing need because of water neutrality and, looking forward, the need to prioritise meeting unmet needs within our primary housing market: the Northern West Sussex HMA.

**Full text:**

Thank you for consulting Horsham District Council on the Chichester Proposed Submission Local Plan 2021-2039. We are grateful for the opportunity to be able to comment on your emerging plan. Overall, we consider that the plan has positively sought to balance the provision of future needs with other wider objectives in a manner that contributes to achieving sustainable development. I would also take the opportunity to reaffirm Horsham District Council's (HDC's) commitment to continued dialogue under the Duty to Cooperate and joint working between our two councils. We have a number of comments on the Proposed Submission Chichester Local Plan 2021 to 2039 to make on individual policies which we have set out below:

**Policy S1 Spatial Development Strategy**

We support this policy in principle, but consider it is not justified as stands. We note the spatial distribution in the plan period is split into three areas: East – West Corridor, the Manhood Peninsula, and North Plan area (which is the only part of Chichester district which directly adjoins Horsham district). HDC acknowledges Chichester District Council's position that it is not able to meet its entire identified local housing need of 638 dwellings per annum, given the constraints associated with the required upgrades to the strategic road network in order to facilitate growth, potential environmental constraints and wider infrastructure restrictions. It is understood that National Highways requires a cap on growth due to the limited capacity of the A27. The proposed housing supply target is therefore 575 dwellings per annum.

HDC acknowledges and welcomes that significant effort has been put into identifying development capacity in a way that reflects the principle of positive planning. Nevertheless, the NPPF and PPG set a high bar for 'leaving no stone unturned' in respect of meeting development needs. We support that planned growth is directed to sustainable locations where access to local services and access to transport links are easier to access than remote rural areas. It is acknowledged Chichester City is the most populous settlement in the district as well as being most sustainable. We support that growth and future development should be focussed in the East-West Corridor, and in particular in or close to the City, first and foremost. We also acknowledge wider infrastructure deficiencies will need to be addressed in strategic locations before they can accommodate more growth.

We support your continued dialogue with National Highways to support improvements to the strategic road network and note a Statement of Common Ground (SoCG) will be published and updated as part of a continuous dialogue with National Highways. The SoCG is important as part of the justification for a lower housing supply figure and should transparently demonstrate why the constraints on the A27 will not allow higher growth in the East West corridor, in order to evidence that maximum housing needs have been achieved in the City and East West Corridor. This evidence is needed for HDC to inform its own DtC position with Chichester District Council (CDC).

Chichester District is planning below the standard methodology housing target and has therefore asked HDC if it can accommodate some of Chichester's unmet housing need. HDC has confirmed that we are not in a position to accommodate Chichester's unmet development needs because of our own water neutrality constraint. Furthermore, the primary housing market for Horsham District is the Northern West Sussex HMA, whose development needs are substantially driven by the Gatwick sub-region, and it is this HMA that would be prioritised with respect to meeting unmet development needs.

As a partner in the Sussex North Water Neutrality grouping also impacted by this constraint, CDC jointly owns the relevant evidence, and our two authorities share an ongoing commitment to work on this as our Duty to Cooperate dialogue continues. As ever, the latest position with regards to Water Neutrality and the impact on the delivery of housing and other development needs can be set out in a Statement of Common Ground (SoCG) between our two Councils.

**Policy NE16 Water Management and Water Quality**

We support this policy which is clear in its encouragement of efficient use of water as part of good management framework.

**Policy NE17 Water Neutrality**

Water neutrality is a significant issue affecting both our districts. Horsham District Council supports this policy which is derived from the joint work undertaken by Chichester District Council, Horsham District Council and Crawley Borough Council. We look forward to continued working with CDC on the development of the implementation scheme, in order to deliver the JBA Water Neutrality Assessment study. This will ensure all new development is in conformity with the Habitat Regulations and can demonstrate water neutrality.

**Policy H1 Meeting Housing Needs**

As outlined earlier in this response, we acknowledge that land supply in Chichester is constrained, and that CDC meeting the full housing requirement within its administrative boundary during the plan period up to 2039 would be challenging. Horsham District is not however in a position to accommodate any of Chichester District's unmet housing need because of water neutrality and, looking forward, the need to prioritise meeting unmet needs within our primary housing market: the Northern West Sussex HMA.

**Policy H2 Strategic Locations/Allocations 2021 -2039**

A significant proportion of CDC's housing supply will be delivered through strategic allocations. Loxwood (220 dwellings) is identified as a strategic allocation and will come forward through the local plan process, with some allocations anticipated to be delivered through local neighbourhood plans. Given the challenges that face Neighbourhood Planning groups in the preparation and delivery of Neighbourhood Plans, (which can potentially delay the delivery of these allocations), we support the identification of strategic sites in the Local Plan, programmed for delivery earlier in the plan period.

As the delivery of strategic allocations requires significant infrastructure planning, including cross-boundary issues relating to the road network, education, healthcare and community facilities, Horsham District Council welcomes continued dialogue with the relevant stakeholders, to ensure development at strategic locations such as Loxwood are delivered in a timely manner and adhere to sustainable development principles. We have some specific concerns relating to strategic allocation policy A15: Loxwood which we have set out under that policy.

**Policy H11 Meeting Gypsies, Travellers and Travelling Showpeople's Need.**

We note your position and your requirement to provide a number of pitches and plots for the travelling community during plan period. We support your policy position for intensification of existing pitches. Horsham District can't at this point in time accommodate any of CDC's unmet Gypsy, Traveller and Travelling Show people requirement as we are required to first address our own shortfall, and our evidence demonstrates that this alone will be challenging.

We have a body of evidence to support our position and we will continue to share our evidence with you as our Duty to Cooperate dialogue continues over the coming months. As ever, the latest position regarding Gypsy, Traveller and Travelling Showpeople will be set out in the Duty to Cooperate Statement of Common Ground between our two Councils.

**Policy A15 Loxwood**

We support this policy as it will contribute to meeting Chichester District's unmet housing need, but consider it is not justified as stands and that its effectiveness could be improved. The five villages in the north of the Plan area (Kirdford, Wisborough Green, Loxwood, Ifold and Plaistow) are classified as Service Villages in the emerging Chichester Local Plan. They provide a reasonable range of basic facilities (e.g. primary school, convenience store and post office) to meet the everyday needs of local residents, or are villages that provide fewer of these facilities but that have reasonable access to them in nearby settlements. Loxwood is the strategic site identified to accommodate 220 dwellings over the plan period.

The nearby settlement of Billingshurst, in Horsham District, is considered to be the nearest main settlement to the villages identified above. Given the limited facilities available / or to be provided as part of the Loxwood allocation, it is considered that new residents are likely to be reliant at least some key facilities in Billingshurst, potentially including the GP surgery, the railway station (and rail user car park), The Weald secondary school and sixth form, the library and the retail and community facilities, including the leisure centre. Within Horsham District, there are potential proposals for strategic scale extensions to Billingshurst / new settlements relatively close to Billingshurst. Whilst no decisions have been made with respect to our local plan, housing growth delivered through our own local plan will create potential impacts on existing infrastructure which is already under significant pressure. We therefore require clear evidence that potential cumulative impacts on settlements in HDC have been considered as part of the proposed allocations. We would ask that CDC works collaboratively with HDC and other stakeholders to ensure future pressures on infrastructure in Horsham District is appropriately addressed. Consequently, we seek further clarification in Policy A15: Loxwood to emphasise the importance of collaborative working between stakeholders to mitigate against the potential cumulative impact of development.

I do hope these comments are helpful. I would like to emphasise that they are made in anticipation of further constructive dialogue between our authorities, and with an expectation that matters on which we have flagged concern can be readily addressed, and quite possibly eliminated through our Duty to Cooperate discussions. Should you require any further detail or information in regard to this response please don't hesitate to contact a member of my Strategic Planning team.

**Change suggested by respondent:**

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**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** CDC Reg 19 Written Representation (16 March 2023) Redacted - <https://chichester.oc2.uk/a/shc>

**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Mr Justin Atkinson [4875]**Summary:**

A disproportionate amount of building has already taken place on the Manhood Peninsular and in Selsey, in particular, already. This has damaged every aspect of this part of West Sussex. The strain on facilities, roads, etc has reached breaking point. One of best areas for wildlife in West Sussex has been very badly affected to the detriment of said wildlife. Noise and light pollution is at an all-time high. It is not enough now to say large scale projects will be paused for now. All but the most essential development should be stopped completely for the foreseeable future.

**Full text:**

A disproportionate amount of building has already taken place on the Manhood Peninsular and in Selsey, in particular, already. This has damaged every aspect of this part of West Sussex. The strain on facilities, roads, etc has reached breaking point. One of best areas for wildlife in West Sussex has been very badly affected to the detriment of said wildlife. Noise and light pollution is at an all-time high. It is not enough now to say large scale projects will be paused for now. All but the most essential development should be stopped completely for the foreseeable future.

Also, consideration should be given to protecting the marine environment off of Selsey, one of the most diverse and production marine habitats in southern Britain!

In the 20 years I have lived in Sesley the decline in mammals, birds, insects and marine life is horrifying and this is a direct result of over development. This over development has been allowed and overseen by various MP's and councillors over the years and it is really quite disgraceful.

**Change suggested by respondent:**

All but the most essential development should be stopped completely for the foreseeable future. Also, consideration should be given to protecting the marine environment off of Selsey, one of the most diverse and production marine habitats in southern Britain!

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Obsidian Strategic [7973]**Agent:** Andrew Black Consulting (Mr Andrew Black, MD) [7597]**Summary:**

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need.

**Full text:**

I write in response to the regulation 19 consultation version of the Chichester Local Plan 20212039 on behalf of my client Obsidian Strategic.

Obsidian Strategic have an interest in a site to the South of Main Road, in Hermitage, within the Southbourne Neighbourhood Plan Area. Further details in relation to the site are set out within the appendices of these representations and referred to throughout.

**Housing Requirement**

The identified housing need for Chichester District Council (CDC) as calculated by the standard method is 638 dwellings per annum (dpa). However, the local plan only seeks to provide 575 dpa or a total supply of 10,350 over the plan period (2021-2039). As result the proposed strategy represents an under supply of 1,134 over the plan period. Furthermore, the undersupply means that CDC is unable to accommodate the unmet arising from the South Downs National Park.

In recent years CDC has not been able to demonstrate a five year housing land supply nor has it delivered housing against the requirements of the Housing Delivery Test. It is therefore important that the unmet need is made up within the early part of the plan period.

Paragraph 5.2 of the plan states that the under supply is due to constraints across the district particularly the capacity of the A27.

Policy H1 (Meeting Housing Needs) sets out the housing target of 10,350 dwellings to be delivered over the plan period 2021-2039. Considering the existing commitments, allocations and permissions this gives a remaining figure without planning permission of 3,056 homes for allocation in the Local Plan.

**Strategic Allocations**

Policy H2 of the reg 19 plan sets out the following strategic site allocations which are carried forward from the 2015 Local Plan:

**\*\*Table\*\***

Table 11 of the latest Annual Monitoring Report (AMR) (produced in November 2022) show the progress of delivery from these allocations:

**\*\*Table\*\***

Table 12 of the AMR sets out the progress of the large sites towards future delivery as follows:

**\*\*Table\*\***

The Housing Trajectory as set out in Appendix E of the Local Plan shows delivery of the existing allocations as set out under policy H2. Given that the Land at Shopwyke (A7) and the Land at Westhampnett/North-East Chichester (A9) already have permission for the number of dwellings in the allocation and construction has already started, there is no objection to the predicted levels of delivery as set out in the trajectory. However, the housing trajectory sets out delivery from the Land West of Chichester (Phase 2) (A6) and Tangmere SDL as follows:

**\*\*Table\*\***

Given that neither of these sites have outline permission then the delivery of units from both sites in a little over 5 years from the adoption of the plan is considered wholly unachievable.

CDC has presented no evidence to justify how this timeframe would be achieved and it is considered that the trajectory is unreliable as a result.

The Local Plan sets out a Broad Location for Development at Southbourne which would be delivered through either the Neighbourhood Plan process or a Site Allocation DPD:

**\*\*Table\*\***

The Housing Trajectory as set out in appendix E of the Local Plan sets out the following delivery from this site:

**\*\*Table\*\***

Given that policy A13 remains as a 'broad area for development' it is not considered that there is adequate justification for the trajectory as set out. Notwithstanding the effectiveness of allocating a site in this way, an exact location for the housing is yet to be defined, nor is delivery through the neighbourhood plan/DPD confirmed (further details on this is set out within the reps). Until a more detailed site can be defined and delivery confirmed it is not considered that CDC is able to guarantee delivery of dwellings in the housing trajectory as it has done so within the plan.

Non-Strategic Parish Housing Requirements

Policy H3 sets out the following housing requirements from individual parishes.

**\*\*Table\*\***

The supporting text of policy H3 sets out that if draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

Table 13 of AMR identifies that there has been historically poor delivery of net housing completions from parishes:

**\*\*Table\*\***

The overall strategy as set out by CDC in the plan is highly dependent on the delivery of housing from Neighbourhood Plan areas. Whilst this approach is not un-sound in itself, it is considered that the plan in its current form allows for little mitigation or alternatives should delivery not come forward in the neighbourhood plan areas.

In order for the plan to be considered positively prepared and justified it is recommended that additional wording is added to policy H3 to state that individual applications can come forward on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

Southbourne

As set out, the Local Plan proposes a 'Broad Location for Development' at Southbourne for the delivery of 1,050 dwellings. This approach follows the withdrawal of the previously draft version of Neighbourhood Plan after it was found not to comply with basis conditions following examination in early 2022. Southbourne Parish Council is now pursuing a revised Neighbourhood Plan which has been submitted to CDC for a regulation 16 consultation. Obsidian previously responded to the regulation 14 consultation in late 2022 and these are appended to these representations.

The revised Southbourne Neighbourhood Plan does not seek to allocate any new housing allocations and instead takes a protectionist stance against any new development as an interim position whilst the Local Plan is prepared. However, once the Neighbourhood Plan is made, it would form part of the development plan for CDC. It is highly likely that a made Neighbourhood Plan in the form currently proposed by Southbourne would make the allocation of additional housing in the parish less likely rather than more likely.

The Sustainability Appraisal (SA) as prepared for the regulation 19 of the Local Plan sets out the proposed approach to Southbourne as follows:

3.1. With the decision of Southbourne Parish Council to no longer proceed with the inclusion of a strategic allocation in their neighbourhood plan, the Council considered three options for taking forward development in Southbourne, namely:

- Option 1 - redistribute the housing number elsewhere
- Option 2 - allocate a strategic site
- Option 3 - identify a Broad Location for Development

The SA goes on to set out the reason for option 1, for redistributing the housing number elsewhere, being discounted as follows:

3.2. As set out in the Housing Background Paper, the preferred spatial strategy is to focus the majority of growth at Chichester and the east west corridor, with a focus on the Settlement Hubs within the corridor. To redistribute the housing number to other parts of the plan area would not be consistent with the preferred spatial strategy nor reflective of the role of Southbourne as one of the more sustainable locations in the plan area capable of delivering strategic scale development. The ability to redistribute the number to other locations within the east/west corridor is also severely limited due to infrastructure constraints (impact on A27 junctions) or environmental restrictions (wastewater treatment capacity). For these reasons, Option 1 was discounted.

Whilst it is accepted that the redistribution of the entire requirement of 1,050 homes would be problematic, it is considered that CDC should have tested the allocation of other alternative sites such as that at Main Road, Hermitage and other suitable alternative sites.

The SA goes on to set out consideration of option 2 as follows:

3.3. In order to allocate a site in a Local Plan, it needs to have gone through a rigorous process to ensure that the Council can demonstrate that the allocated site is suitable, given reasonable alternatives, and is based on proportionate evidence. Given there is more than one site or combination of sites that could come forward as an allocation in Southbourne, a clear process setting out for why one site was chosen over another would be needed, informed by site specific technical information.

This is correct and it is therefore not accepted that an approach to allocate a broad area for development would be robust, deliverable or effective. The SA goes on to state:

3.5. The allocation of a strategic site at Southbourne would also be a significant change in approach at a late stage of the Local Plan preparation process. The additional technical evidence that would need to be undertaken to justify a Local Plan allocation at this stage would impact significantly in terms of delay to the finalisation of the Regulation 19 Local Plan and its subsequent submission to the Secretary of State for examination. For these reasons Option 2 was discounted.

This provides further weight to the position set out within these representations that the expectation of delivery from the 'broad area' at Southbourne is overly ambitious and it is clear there is significant technical work to undertake on the delivery of homes from the allocation as part of the future plan making process.

The SA goes on to set out the justification of option 3 as follows:

3.6. The identification of a BLD is consistent with the National Planning Policy Framework (NPPF). Paragraph 68 states that for years 6 -10 of the plan, local authorities should through their planning policies identify a supply of 'specific, developable sites or broad locations for growth'.

3.7. There is no definition of 'broad locations' in national policy. It is generally taken to be an area within which housebuilding could reasonably be expected to take place based on the availability of land having regard to the Housing and Economic Land Availability Assessment (HELAA). A BLD does not have a specific geographic location or physical boundary. Areas are identified as broad locations because at that stage it is not yet possible to identify the precise boundaries of a site until further detailed site work has been done. By identifying a broad location gives flexibility and may increase the prospect of appropriate and effective growth i.e. where there is some doubt as to the most effective site boundary could prevent growth coming

forward or prevent the most sustainable solution. However, a broad location might be expected to accommodate a significant amount of development; in some cases a single site may be of a sufficient size to accommodate all of the potential development or a number of sites that about other sites may be considered together.

This is not considered a rational approach to take. Whilst there is no definition of 'broad location' within national policy it is considered that the words 'specific' and 'developable' must be taken at their basic meaning and indeed as set out in the glossary of the framework. It is not considered that the allocation of such a large area for a 'broad location' would be specific, effective or justified against the tests of soundness in the NPPF.

The allocation of Southbourne under policy A13 would represent over 10% of the total housing delivery in the plan. This is considered too significant to leave to a broad location for development.

As set out, Southbourne Parish Council is already at advanced stages of a revised Neighbourhood Plan which does not include the allocation of any of the development parcel envisaged under policy A13. In terms of delivery through the Site Allocations DPD, the timetable for this is set out within the most recent Local Development Scheme (January 2023) which sets out the following:

**\*\*Table\*\***

As set out, the housing trajectory assumes delivery of dwellings from the allocation at Southbourne in 2028/29. Given that the Site Allocation DPD would not be delivered until Winter 26/27 at the earliest, and the delivery through the Neighbourhood Plan has been discounted by the progression of a NP without the allocation, then the deliverability of any development at Southbourne remains wholly unjustified within the plan period.

The SA goes on to set out the approach to alternative sites in Southbourne Parish as follows:

4.3. The 2021 HELAA assessed 41 sites in Southbourne Parish (see Appendix 1). Of these, 18 sites were discounted because the site either had planning permission/were under construction (five sites); it was within the Chichester Harbour Area of Outstanding Natural Beauty (AONB) (eight sites); there was insurmountable access issues (two sites); it was in Flood Zone 3 (one site); or there was a legal restriction on the site use (in this case a Section 106 Agreement restricting use to open space) (two sites). These sites were not considered further for inclusion within the BLD.

The land at Main Road was one of the sites discounted due to being located in the AONB. For the reasons set out within subsequent sections of these representation, it is not considered that it was necessary to discount sites within the AONB as other councils have taken the decision to use such sites to meet housing need and not considered the AONB as an absolute constraint.

Specialist Accommodation for Older People

Para 5.41 of the regulation 19 of the Plan sets out the following:

The Housing and Economic Development Needs Assessment (HEDNA) 2022 estimates the greatest population increase in the district by 2039 to be those in age groups 75 and over. To support an ageing population there should be provision of suitable housing options for the differing needs of individuals, including:

- Sufficient adaptable and/or accessible market housing stock so that those wishing to remain in their own homes can do so as their needs change.
- Smaller homes, for those wishing to downsize, and bungalows.
- Extra care housing, for those able to live relatively independently but requiring on-site support.
- Care homes, for those needing additional support.

Table 8.1 of the HEDNA sets out the current population breakdown for separate groups over 65 and demonstrates that CDC has a significantly higher percentage in all age groups over 65 than the average in West Sussex, the South East or England:

**\*\*Table\*\***

Policy 8.12 of the HEDNA goes on to set out the need for different groups as follows:

**\*\*Table\*\***

The HEDNA sets out the following commentary in this regard:

8.41 It can be seen by 2039 there is an estimated need for between 2,131 and 2,872 additional dwellings with support or care across the whole study area. In addition, there is a need for 429-800 additional nursing and residential care bedspaces.

8.42 Typically for bedspaces it is conventional to convert to dwellings using a standard multiplier (1.80 bedspaces per dwelling for older persons accommodation) and this would therefore equate to around 238-445 dwellings.

8.43 In total, the older persons analysis points towards a need for around 2,369-3,317 units over the 2021-39 period (132-184 per annum) – the older person need equates to some 17-24% of all homes needing to be some form of specialist accommodation for older people.

Given the significant need for Specialist Housing Accommodation across the district it is vital that this is planned for adequately within the emerging Local Plan. The Planning Practice Guidance sets out why it is important to plan for housing needs of older people as follows:

The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.

Paragraph: 001 Reference ID: 63-001-20190626 Revision date: 26 June 2019

The PPG goes on to state how housing requirements of such groups should be addressed in plans:

Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people.

These policies can set out how the planmaking authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.

Paragraph: 006 Reference ID: 63-006-20190626 Revision date: 26 June 2019

Policy H8 states:

All housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people to include a support or care component. The specific type and amount of accommodation required will depend on the size and location of the site.

Proposals for specialist housing, such as homes for older people, student, HMOs or essential worker accommodation, and other groups requiring specifically designed accommodation will be supported where the following criteria are met:

- 1) There is an identified need;
- 2) It will not lead to a concentration of similar uses in an area that would be detrimental to the character or function of an area and / or residential amenity;
- 3) It is in close proximity to everyday services, connecting by safe and suitable walking / cycling routes or public transport for the intended occupier;
- 4) It can be demonstrated that the development is designed to provide the most appropriate types of support for the target resident;
- 5) It can be demonstrated that revenue funding can be secured to maintain the longterm viability of the scheme (if relevant to the type of accommodation proposed); and
- 6) The scheme is supported by the relevant agencies (if relevant to the accommodation type to be provided).

Proposals which may result in the loss of specialist needs accommodation will not be permitted unless it can be demonstrated that there is no longer a need for such accommodation in the plan area, or alternative provision is being made available locally through replacement or new facilities.

Whilst this approach goes some way to addressing the care needs it is felt that the policy lacks effectiveness and should take a far more constructive and positive approach to the provision of housing for older people.

The wide range of different housing typologies is set out within the Planning Practice Guidance as follows:

- Age-restricted general market housing: This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.
- Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager.
- Extra care housing or housing-with-care: This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.
- Residential care homes and nursing homes: These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes.

[Paragraph: 010 Reference ID: 63-010-20190626].

It is considered that a residential care home (including housing for dementia needs) could be developed on the Land South of Main Road without causing harm to the AONB and this would provide for a clear need within the village whilst also providing employment to local workers.

Development in AONB

The NPPF sets out the following in relation to development in the AONB at paragraph 172 as follows:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development<sup>55</sup> other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

Footnote 55 of paragraph 172 is relevant for the consideration of what is considered as major development and states:

For the purposes of paragraphs 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

No evidence is set out within the Local Plan or supporting evidence base to state what is considered to be a major development site in the district.

Neither the Chichester Harbour AONB: State of the AONB Report (May 2018) or the Chichester Harbour AONB Landscape Character Assessment (April 2019) contain any references to what is considered to constitute a major development.

This is a matter which has been considered at length within other Local Plan examinations. As part of the evidence for its Local Plan, the South Downs National Park sought successive legal opinions from James Maurici QC on what should be considered as 'Major Development' in the AONB and have subsequently become widely known as the 'Maurici Opinions' in other Local Plan examinations. The opinions set out the following conclusions:

- It is a matter of planning judgement to be decided by the decision maker.
- Major development is to be given its ordinary meaning, and it would be wrong to apply the definition of major development contained within the Town and Country Planning (Development Management Procedure) (England) Order 2015. It would also be wrong to apply any set or rigid criteria for defining major development, and the definition should not be restricted to development proposals that raise issues of national significance.
- The decision maker may consider whether the proposed development has the potential to cause a significant adverse impact on the purposes for which the area has been designated or defined, rather than whether there will indeed be a significant adverse impact from the proposed development.
- The decision maker may consider the proposed development in its local context as a matter of planning judgement.
- There may be other considerations but which may not determine whether a proposed development is major development. For example, if the proposed development is Environmental Impact Assessment (EIA) development.
- The ordinary sense of the word 'major' is important and the decision maker should take a common sense view as to whether the proposed development could be considered major development.

In the Mid Sussex District Council Site Allocations DPD Evidence Base there is a topic paper setting out consideration of Major Development in the AONB and concludes that several of the allocations, in some cases up to 70 dwellings, would not be classed as major development in the AONB following a detailed review of each of the factors as set out in footnote 55 of the NPPF against each proposed allocation.

It is considered that this approach should have been undertaken for each of the individual sites discounted in the Local Plan (including Main Road, Hermitage), rather than simply discounting on the sole fact that they were in the AONB.

Sustainability Appraisal

The legal frameworks for SAs are set out within section 19 of the Planning and Compulsory Purchase Act 2004 which states that the authority must prepare a plan with the objective of contributing to the achievement of sustainable development. Moreover, the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 states that SAs must ensure that the potential environmental effects are given full consideration alongside social and economic issues.

It is not considered that the council has given full consideration to all effects nor are the conclusions of the SA in respect of those impacts robust and logical.

Paragraph 32 of the framework goes on to state that the SA should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

The SA sets out whether it was reasonable to explore higher growth scenarios as follows:

5.2.12 As discussed above, the PPG on Housing and Economic Needs Assessment sets out reasons for providing for 'above LHN' through local plans, referring to situations where there are "growth strategies for the area... (e.g. Housing Deals); strategic infrastructure improvements that are likely to drive an increase in [need]; or an authority agreeing to take on unmet need from neighbouring authorities..." Also, affordable housing needs can serve as a reason for considering setting the housing requirement at a figure above LHN, with the PPG stating: "An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes."

5.2.13 However, in the Chichester context there is little or no argument for exploring scenarios whereby the housing requirement is set at a figure above LHN, given the issues discussed above at paragraph 5.2.11. Unmet housing needs are a widespread issue across the sub-region, but there is no realistic potential to provide for unmet housing needs within Chichester. At the time of the Preferred Approach consultation (2018/19), the proposal was to provide for both locally arising housing needs in full and a proportion of the unmet needs arising from the SDNP (41 dpa). Also, it is noted that the SA report published as part of the consultation considered scenarios – considered to be 'reasonable' at that point in time – that would see the housing requirement set at figures significantly above LHN (800 dpa and 1,000 dpa were tested). However, at the current time, in light of the latest available evidence, scenarios involving setting the housing requirement at a figure above LHN can be safely ruled out as unreasonable.

It is not considered that a figure at or above the LHN would be considered unreasonable and that this matter has not been given full consideration (as per the requirements of the SA regulations), particularly in regard to the social impacts of not meeting housing need in full.



Appendix V of the SA sets out commentary in regard to Parish Scenarios. This sets out the following in relation to Southbourne (with emphasis added):

With regards to the extent of the broad location, this matter is considered fairly uncontentious (for the current purposes of arriving at reasonable growth scenarios). Specifically, the proposal is to identify an area of search that includes developable HELAA sites that relate relatively well to the Southbourne settlement edge and avoid the Strategic Wildlife Corridor associated with the Ham Brook, also naturally mindful of the need to maintain a landscape gap to settlements within Chidham and Hambrook Parish, to the east. It is important to note that the total theoretical capacity of developable HELAA sites within this broad area is far in excess of the number of homes that would need delivered under any reasonably foreseeable scenario.

The broad location provides flexibility to identify a detailed allocation either through a Site Allocations Plan or, should the Parish Council wish to do so, a revised Southbourne Parish Neighbourhood Plan. Site selection considerations will likely include: transport and access (including mindful of links to the train station and by car to Portsmouth); accessibility and community infrastructure (mindful of the secondary school, recreation ground and employment area at the western edge of the village); heritage (e.g. there is a historic rural lane to the east, associated with two listed buildings), topography and landscape (including any visual links to the SDNP and/or the AONB) and the potential to secure a strategic scheme that delivers more than just new market homes, and potentially significant 'planning gain' for the local community.

With regards to the number of homes that should be supported, there is logic to further exploring the scale of growth that was previously considered through the now withdrawn Southbourne NP, and it is not clear that there is an argument for considering lower growth. Additionally, there is a clear argument for exploring the possibility of higher growth, to ensure a suitably comprehensive scheme, with a high level of 'planning gain'.

In conclusion, there are two scenarios for Southbourne Parish, namely completions, commitments and windfall plus either: 1) a broad location for 1,050 homes; or

2) a broad location for ~1,500 homes.

As set out, it is not considered that the SA has considered adequate reasonable alternatives to growth at Southbourne which would include allocation of sites elsewhere in the village including within the AONB that can deliver in the early part of the plan period.

#### Conclusions

There are significant concerns on the soundness of the plan in terms of whether it is effective, justified, positively prepared or consistent with national policy in accordance with paragraph 35 of the NPPF.

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

The Council has not adequately considered reasonable alternatives through the Sustainability Appraisal as published alongside the plan which should have included consideration to the allocation of the site in order to deliver housing in the early part of the plan period.

The plan fails to adequately consider the need for housing for older people, given that the population over 65 across CDC is significantly in excess of the average in the county, south east and county as a whole.

CDC discounted all sites within the AONB, including the site at Main Road, Hermitage, at an early stage of the plan making process. This is not considered effective or consistent with national policy which does not class such sites as an absolute constraint. Other local authorities have allocated such sites in order to deliver the full objectively assessed needs.

ABC will continue to make further representations on the deliverability of the site as part of the plan making progress.

#### Change suggested by respondent:

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Regulation 19 - Andrew Black Consulting - obo Obsidian - redacted - <https://chichester.oc2.uk/a/trf>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

#### Summary:

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking evidence.] We note that 84% of the total Housing provision 2021-2039 (9,717 dwellings) is in the East-West Corridor (Chichester city, east of the city, west of the city) with the A27 running through this corridor. This reiterates the additional pressures on an already congested road.

The evidence we have seen to date has a spatial focus on the A27. There is little evidence of locations away from the A27.

#### Full text:

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queuing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:  
 “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a

key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** The Brooks Family [8117]

**Agent:** Henry Adams LLP (Mrs Dawn Appleton, Senior Planner) [8118]

**Summary:**

Failed to provide sufficient justification for not meeting housing need, not justified assisting unmet need from adjoining authorities.

Position of growth predicated on basis of A27 not having sufficient capacity to accommodate higher growth of 535 dpa. Evidence base (Transport Study 2023) contradicts position, Council should at least be meeting its local housing need and also considering what part it can play with meeting unmet needs for adjoining authorities.

Support approach to Boxgrove and allocation of minimum of 50 houses with suitable site to be identified through Neighbourhood Plan/ Site Allocations DPD. Site promoted at Longmeadow will provide 50 dwellings including 15 affordable homes.

**Full text:**

See attached representation.

**Change suggested by respondent:**

The Council should at least be meeting its local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written representation - <https://chichester.oc2.uk/a/sfw>

**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Seaward Properties Ltd [7119]**Agent:** Smith Simmons Partners (Paul White) [7650]**Summary:**

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

We note from policy H1 that the housing supply includes existing housing commitments from the 2015 adopted Local Plan, the Site Allocations DPD, and 'made' Neighbourhood Plans all without planning permission. It also includes planning permission for schemes of over 4 dwellings granted consent as of 1 January 2023.

However it is unclear how the supply from these categories of development have translated into the strategic and non-strategic allocations in policies H2 and H3.

For instance, has it informed the strategic allocations of 300 dwellings to Chidham and Hambrook in policy A12 and the 220 dwellings at Loxwood in policy A15? Have the categories of supply as commitments at each settlement been ring fenced to count against the new proposed allocation? We would welcome further lower case policy clarification to confirm that the allocations are fixed, and no further adjustments will be made to the figures.

**Full text:**

See attached representation.

**Change suggested by respondent:**

We would welcome further lower case policy clarification to confirm that the allocations are fixed, and no further adjustments will be made to the figures.

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** Seawrd Reg 19 - <https://chichester.oc2.uk/a/sfm>**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Levanter Developments Limited (Oliver Tomalin) [8120]**Summary:**

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need.

**Full text:**

I write in response to the regulation 19 consultation version of the Chichester Local Plan 2021-2039 in our capacity as promoters of Ansell's Yard, Kirdford Road, Wisborough Green.

**Conclusions**

There are several concerns on the soundness of the plan in terms of whether it is effective, justified, positively prepared or consistent with national policy in accordance with paragraph 35 of the NPPF.

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

Levanter will continue to make further representations on the deliverability of the site as part of the plan making progress.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Ansell's yard - local Plan Reps - <https://chichester.oc2.uk/a/sfn>

## Support

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

We note that policy H1 (Meeting Housing Needs) sets out a housing target of 10,350 up to 2039 and the supply figure identified is 10,359 dwellings (9 over the target figure). We also note the introductory paragraphs 5.1-5.4 that explain that due to constraints the Chichester District Council Plan area is now unable to accommodate any unmet need from the South Downs National Park part of Chichester District.

The South Downs National Park Authority has commissioned an evidence study of development need, and this will assess housing need using a methodology consistent with the standard method, incorporating demographic change and affordability levels based on the best available data at geographies appropriate for creating local population estimates for the National Park area.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Home Builders Federation (Mr Mark Behrendt, Local Plans Manager SE and E) [7316]

**Summary:**

Policy is unsound as it is not justified or consistent with national policy.

It would appear from the Council's evidence that there may be highway capacity to meet housing needs in full. Without further evidence to support the position put forward in policy H1 the Council will need to allocate additional sites to ensure that housing needs are met in full, and the plan is sound. The Council will also need to review their approach to sites in the AONB to ensure that proper consideration is given to these sites and provide evidence as to whether or not they will ensure at least 10% of all homes will come forward on small sites.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** HBF rep Chichester LP march 2023 redacted - <https://chichester.oc2.uk/a/sg6>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Mr Paul Bedford [5302]

**Summary:**

It is worthy of note that three recent housing appeal decisions unfortunately focused primarily on the lack of a 5yr housing supply base on the 638 higher figure. More pressing were issues of sewage system capacity, coastal inundation and fluvial flooding and nutrient neutrality.

The reduction of housing requirements that the Reg19 LP now promotes is very welcomed.

The reduction on the Manhood Peninsula appears to be derived because of recent housing approvals on appeal bringing forward housing that achieves the revised target based on the 535 figure. Two points arise none of these sites are in locations that CDC indicated in documents such as the HELAA and SHELAA as positively sustainable and as all other significant Peninsula housing is dropped do these sites exceed what would have been planned totals.

**Full text:**

These comments are confined to the three areas set out in the consultation - Legal, Soundness and Duty to Cooperate and to two documents -the draft Local Plan and the Sustainability Assessment.

**Legal Status**

The Legal status of the Plan is proven but because of the protracted course of the plan's preparation some stages are now dated and raise the question that they should be refreshed. This is the particular case in respect of public participation. There have also been significant changes in legislation that guides the plan's formulation that would have benefited from revised statement of legislative/legal context.

**Soundness**

In the SA it is stated that the key issue for the plan is the A27 and its capacity. This statement is fundamental in that it is realistically outside the scope of the local planning authorities (CDC and West Sussex CC) to have any direct control over. Unless National Highways position is changed from their previous statements on time scales and what might be included in their assessment no consideration of A27 will be made until RIS3 taking any even initial action into the next decade.

So fundamental and influential is the A27 that assessment of Local Housing Need (LHN), a key component of the whole plan, is reduced from 638 units pa to 535. This position must have an impact on the plan's 'Soundness and crucially the phasing of development.

It is worthy of note that three recent housing appeal decisions unfortunately focused primarily on the lack of a 5yr housing supply base on the 638 higher figure. More pressing were issues of sewage system capacity, coastal inundation and fluvial flooding and nutrient neutrality.

The reduction of housing requirements that the Reg19 LP now promotes is very welcomed.

The reduction on the Manhood Peninsula appears to be derived because of recent housing approvals on appeal bringing forward housing that achieves the revised target based on the 535 figure. Two points arise none of these sites are in locations that CDC indicated in documents such as the HELAA and SHELAA as positively sustainable and as all other significant Peninsula housing is dropped do these sites exceed what would have been planned totals.

The SA 'Framework' only addresses 'Water- protection of resources' this is highly appropriate given the problems experienced in the north eastern part of the district in the summer of 2022 and will become more pressing in the south. Resolution of this issue that stopped planning applications seems to be by reducing water usage at least to 110 ltr/ppd or lower this is when Southern Water only hope to achieve 125ltr by 2050.

Consideration in the framework should extend to the 'Water Cycle' and particularly address the acute problems of sewage system network capacity, polluting WWTW outfalls, nutrient neutrality. These systems are already currently stressed/ completely overloaded with current levels of use without new development coming on stream and discharges of untreated sewage are a significant and growing problem to Chichester, Langston and Pagham Harbours- this situation must be set against Defra- Storm Overflow Discharge Reduction Plan's statement "Protecting the Environment-water companies shall only be permitted to discharge from a storm overflow where they can demonstrate that there is no local ecological impact". Damage to Chichester/ Langstone Harbours is documented by a daming Natural England report and by that expected for Pagham Harbour all the sites of national significance for biodiversity and protected habitats.

Whilst para 5.2.34 and Box 5.1 of the SA summarise the position no direct statement of intervention is made. Reliance on a 'Statement of Common Ground' that is referred to offers no positive programme of future capital investment by Southern Water (SW) especially when set against SW's overall regional programme its cost and priorities as set out in their draft DWMP- the final version of which is due for release in March this year- does the Plan reflect this documents information that is so crucial to supporting the infrastructure need for the scale of development envisaged is challenging to the plan's 'Soundness'

Time scale of the crucial improvements to infrastructure and particularly sewer and IWWTW capacity is of particular concern. SW's Drainage and Wastewater Management Plan v1 May 2020 set out in very comprehensive way what needs to be achieved and indication of time scale -placing most in AMP8 the next 5 yr business cycle and OFWAT approval would be needed for the scale of expenditure that is many hundred of millions. These time scale constraints should be reflected in the phasing of any housing development that will have to utilise the network. There is no direct indication that such phasing will be actively enforced.

The lack of inclusion in a key background supporting document -Strategic Flood Risk Assessment (SFRA) -of the Planning Practice Guidance on Flood Risk and Coastal Change that has important bearing on issues particularly for the southern plan area and specifically mentions the importance of the phasing of development to infrastructure provision is a concern especially when it was published in August 2022. These omission again have an impact on the Plan's overall 'Soundness.

A significant consideration in the plan that supports the need for more housing supply is the need to address affordability. The district has one of the highest ratio of median earnings to house prices of 14 times and despite substantial house building during the period 2013-2022 the ratio has increased from 10.55. It is clear that the type of housing that has occurred and continues to be proposed in the district has done little if anything to impact on affordability and address the need for social/lower cost housing. Based on the 2011 census the district experienced 1,505 inward migration (only Brighton and Hove being higher in the West Sussex/ Gt Brighton area) - this trend has been expected to have continued and accelerated as the pandemic increased the popularity of coastal property and raised market cost of property. Just building more houses without policy intervention to prioritise social shared ownership housing will most probably prove to further increase the extent of unaffordability with the resultant consequences on workforce -especially to support the district ageing population- and supporting young people to remain in the area they have grown up in or have come to be educated. This aspect is cause concern over the Plan's 'Soundness'.

Considerable emphasis is placed on the issues of nutrient neutrality, damage to biodiversity and pollution of Chichester Harbour AONB but such emphasis is not extended to Pagham Harbour that has a similar ecological status to Chichester and suffers the same degradation issues. Although Pagham is outside of the nutrient protection zone the factors contributing to nutrient problems are apparent feeding into Pagham. The delayed report on condition for Pagham from Natural England mirroring that for Chichester Hb gives every indication it will indicate the same levels of detriment as those in Chichester Hb. This assumption being supported by condition reports for instance for rife and ditch condition known reports. Added to these factors are known issues relating to untreated discharges from Sidlesham WWTW. The Local Plans's lack of affording Pagham similar consideration to Chichester Hb is an issue that impacts on the Local Plan's overall 'Soundness'.

**Duty to cooperate**

The West Sussex and Greater Brighton Strategic Planning Board (WSGBSPB) provides a context for integrated planning along the coast plain area. It is stated that this board is due to issue a review of its 2016 report next month -does the Plan address any issues that this review may raise? Housing needs are a major feature of the area and the need to transfer unmet housing demand to adjoining authorities is characteristic feature of past policy. The SA quite categorically states that there would be no realistic potential to meet unmet housing need above the now established LHN figure. Should the WSGBSPB's report signal the need for the district to absorb housing from other areas there may be problems as the Plan does not appear to offer any contingency or process how such pressure might be mitigated.

The highly restricted housing numbers in the South Downs National Park Local Plan and the closeness of its boundary to the 'coastal strip' are contributing factors to the area's carrying and overall capacity to support development. Further constraint is imposed by the Chichester Harbour Area of Outstanding Natural Beauty (AONB) and the geographical physical restrictions of the Manhood Peninsula creating 'coastal squeeze'.

**Change suggested by respondent:**

-  
**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** Chichester District Local Plan Reg19 Submission - <https://chichester.oc2.uk/a/sx9>

**Object**

**Document Element:** Policy H1 Meeting Housing Needs  
**Respondent:** Arun District Council (Kevin Owen) [7587]

**Summary:**

Arun District Council (ADC) is concerned that the proposed Policy H1 Meeting Housing Needs is not positively prepared or justified. Subject to ongoing Duty to Cooperate discussions with Chichester District Council (CDC), ADC hopes to resolve these matters with a view to securing a Statement of Common Ground and subsequent withdrawal of these objections before the plan is submitted:-

- Level of unmet need for the plan period beyond 2026 is unresolved with potentially significant cross boundary implications

**Full text:**

Arun District Council (ADC) is concerned that the proposed Policy H1 Meeting Housing Needs is not positively prepared or justified. Subject to ongoing Duty to Cooperate discussions with Chichester District Council (CDC), ADC hopes to resolve these matters with a view to securing a Statement of Common Ground and subsequent withdrawal of these objections before the plan is submitted:-

- Level of unmet need for the plan period beyond 2026 is unresolved with potentially significant cross boundary implications

**Change suggested by respondent:**

Chichester District Council's Regulation 19 Local Plan housing requirement in Policy H1 should account for the cross boundary infrastructure mitigation contributions and take positive steps to secure phased development needs allied to infrastructure to address its unmet need (including via the West Sussex and Greater Brighton Strategic Planning Board i.e. Local Strategic Statement - LSS3 update) as far as possible.

**Legally compliant:** Yes  
**Sound:** No  
**Comply with duty:** Yes  
**Attachments:** None

**Object**

**Document Element:** Policy H1 Meeting Housing Needs  
**Respondent:** Mr Daniel Kuszel [7016]

**Summary:**

Adding an additional 220 homes to Loxwood is not sustainable. This is a rural location with absolutely nothing by way of public transport. The village does not even have a shop at the moment.

The village has dutifully supported enlargement through its now 2 Neighbourhood Plans, and now you want to turn the village in to a small town by making the village take an additional 220 dwellings. The sewage system cannot cope at the moment let alone adding hundreds more.

**Full text:**

Adding an additional 220 homes to Loxwood is not sustainable. This is a rural location with absolutely nothing by way of public transport. The village does not even have a shop at the moment.

The village has dutifully supported enlargement through its now 2 Neighbourhood Plans, and now you want to turn the village in to a small town by making the village take an additional 220 dwellings. The sewage system cannot cope at the moment let alone adding hundreds more.

**Change suggested by respondent:**

These additional homes need to be cited close or in an urban area where there are sustainable transport options available and a functioning sewage system which overflows whenever there is heavy rain.

If additional houses are required the total should be massively.

Also the date from which new applications count towards numbers should include the 50 council/housing association properties built off Pond Copse Lane. Scandalous that these have not been included in any housing numbers.

**Legally compliant:** Yes  
**Sound:** No  
**Comply with duty:** Yes  
**Attachments:** None

**Object**

**Document Element:** Policy H1 Meeting Housing Needs  
**Respondent:** Reside Developments Ltd [8133]  
**Agent:** Henry Adams LLP (Zac Denton) [8131]

**Summary:**

Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, we consider that the Plan area is capable of accommodating a greater housing quantum. The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the SDNP. The Council's position of growth is predicated on the basis of the A27 not having sufficient capacity to accommodate a higher growth of 535 dpa. Its own evidence base (Transport Study 2023) contradicts this position and therefore the Council should at least be meeting their local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.

**Full text:**



## 1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Reside Developments Ltd. The submission covers the general principles of the Local Plan, but has a focus on Land at Herons Farm, Kirdford, which is in our clients control. The land is shown on the attached location plan included at Appendix 1 and hereon referred to as the site.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

## 2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Council's Local Plan, or as currently proposed, through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- i. Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- ii. The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that is not agreeable as we believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesignated and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given the scale of development expected for adjoining authorities, including the highly constrained SDNP area.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the Plan relies on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

'If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.'

2.15 The above is not precise and does provide any clear timetable for delivery within the Plan period.

Whilst the strategy in the comments above could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent. However, due to the lack of evidence to demonstrate this, the 535 dpa figure should be capped. Given the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Approach to development in Kirdford

#### Overview

3.1 The Draft Local Plan defined Kirdford as a service village, which benefits from some local facilities and services including a village hall, a local shop and two pubs. The village has been allocated 50 units within the draft local plan and is therefore suitable for a quantum of growth. The Sustainability Appraisal (SA) identifies Kirdford as a village with some facilities, albeit that due to the absence of a school, these are limited. The SA notes that the delivery of community infrastructure would be required to accommodate any quantum of housing, our client's land provides ample opportunities to provide this infrastructure alongside housing. The HELAA identifies a number of sites which could come forward through the Neighbourhood Plan process.

#### Sustainability Appraisal

3.2 Section 5.4 of the SA states that it is important to consider each of the settlements within the plan area, and explore reasonable growth scenarios. 5.4.2 continues this, stating that there is a clear need to explore a wide range of growth quantum scenarios in the northeast plan area.

3.3 The Sustainability Appraisal addresses the constraints of this area in terms of its rural locality, unsustainable travel patterns and achieving water neutrality. 5.4.7 sets out that there are three reasonable growth scenarios for each of the four Parishes in the Northeast plan area, if the option of a new settlement at Crouchlands Farm is ruled out as unreasonable. 5.4.8 states there is a strong argument to suggest that this option is unreasonable, nevertheless, it has been deemed appropriate to take the option forward to consideration. Within the SA, the Council justifies their approach which comprises a blend between Scenario 1 and Scenario 2 as described below:

☐ Scenario 1 – Lower growth scenario across all parishes – This would relate to an allocation of 50 units to Kirdford.

☐ Scenario 2 – Higher growth scenario across all parishes – This would relate to an allocation of 150 units to Kirdford.

3.4 The SA sets out that it is fair to rule-out the lowest growth scenario for Kirdford (growth at committed sites only). The SA also sets out there is an argument for ruling out the highest growth scenario (300 homes) as unreasonable, as Kirdford is poorly connected and does not benefit from a primary school. The SA sets out three growth scenarios following the above. These scenarios relate to 50 homes, 150 homes, and 300 homes.

3.5 A blended approach for Parishes within the Northeast plan area has been supported within the SA, attributing the Scenario 1 model (lower growth) to Kirdford.

3.6 The reasoning given by the Council for attributing the lower growth figure to Kirdford relates to the unsuitability of the northeast plan area as a whole, including unsustainable travel patterns, risks to achieving water neutrality and settlement specific concerns relating to the potential impacts of growth of Kirdford.

3.7 Whilst these concerns raised within the SA and those regarding the existing infrastructure of the village are noted, we believe that the need to support the growth of existing villages, and the ability of development to create and enhance infrastructure should be afforded weight when considering the housing numbers attributed to the village.

3.8 The SA raises concerns surrounding the HELAA options towards the North of the village. This is mainly due to the connectivity to the village and road network, and environmental concerns. These concerns will be addressed later in this representation.

3.9 It should be noted more broadly that higher growth scenarios can provide more significant community infrastructure enhancements to the area.

### 4 Suitability of Site

#### Site Description

4.1 Our client's land is located to the North of the main settlement of Kirdford, which is situated in the northeast of the District. The plan submitted alongside this statement includes land edged in red, to be considered for housing/community uses, and land in blue for biodiversity enhancements. For ease of reference, the red area has been split into Area A, Area B and Area C, which correspond to the split of the site in the HELAA. The site is connected to Kirdford by Footpath 610 and 606. As mentioned previously, the site was previously submitted to the Council's call for sites and is included in the most recent HELAA.

4.2 The Southernmost part of our client's land is annotated as Area A on the drawing included at Appendix 1 (HELAA reference HKD0007). The site was considered to be potentially suitable, subject to detailed consideration of access, and heritage impact. We believe that through well considered design, there is clear potential for development on this parcel as the site is well connected to the P.R.O.W and local transport network. Footpath 606 runs along the Northern boundary of the site, and Footpath 610 runs along the Western boundary of the site which provide access to the main settlement of the Kirdford. The access track to Heron's Farm is adjacent to the Eastern boundary of the site. Whilst the concerns relating to connectivity are noted, we believe there is strong evidence to suggest the site is well connected to the settlement, and there are achievable technical solutions to access.

4.3 The central parcel of our client's ownership is annotated as Area B on the drawing included at Appendix 1 (HELAA reference HKD0009). The site has been considered potentially suitable subject to consideration of access and landscape matters. The site is immediately adjacent to the established residential development at Bramley Close, and an allocated site with planning permission (HELAA reference HKD0002). We are of the view that there are technical solutions to access at the site, which can be explored as part of our 'next steps'. Footpath 610 provides pedestrian links to the main settlement. Further to this, we are of the view that development of this site to the North of the settlement appears as a natural continuation of Kirdford. This is due to the presence of the adjacent site to the West, the sports pitches to the North, and the shaping of the existing woodland. Initial landscaping works have been completed, and it has been concluded that appropriate landscape-led masterplanning, and green infrastructure plans can be provided as part of any prospective development, which would allow the landscape characteristics of the site and its locality to be retained and enhanced. The site provides an opportunity to introduce a new landscape framework within the parcels and enables any proposed development to sit within a treed landscape. Further works for the site would look to come forward following liaison with the Parish Council, which could include further landscaping evidence.

4.4 The Northernmost parcel is annotated as Area C on the drawing included at Appendix 1 (HELAA reference HKD0011). The site was deemed to be potentially suitable for residential development subject to considerations of access. As set out previously within this statement, the site has potential vehicular and pedestrian links to the settlement, and the wider transport network. We feel there are multiple technical solutions to achieving access to the site.

4.5 Whilst noted that in order to ease the consideration of the site, it is necessary to divide the site into sections, we are of the view that our clients land should be looked at more strategically. The SA sets out that the delivery of community infrastructure would be required to accommodate any quantum of housing and we would look to provide this within our clients ownership. The provision of this infrastructure will be subject to consultation with the Parish Council and local occupiers to understand what community infrastructure would be sought for the area. Further, the parcels provide an opportunity to introduce a new landscape framework and enables any development to sit within a treed landscape. The land within our client's control is considered to have potential to accommodate a quantum of up to 200 dwellings, including provision for selfbuild units.

4.6 The area outlined in blue is put forward as land for biodiversity enhancement, which could be delivered as part of any application.

#### Sustainability

4.7 The site is suitably located to deliver a host of benefits to the local area and help achieve objectives of the northeast of the District, without harm to the key attractions for visitors, the setting of the National Park, or the rural character of the locality.

#### Water Neutrality

4.8 One of the constraints of the north-east of the District is the requirement is for all new development to meet water neutrality, to ensure that any new it does not impact further on the habitat site comprising the Arun Valley Special Area of Conservation (SAC) or the Arun Valley Special Protection Area (SPA) & Ramsar site, in terms of groundwater abstraction within the Sussex North Water Supply Zone. It is anticipated that further advice and a mitigation strategy will be created by the Council and its partners to demonstrate how developments can achieve water neutrality. However, at present applicants are required to provide a water neutrality strategy to demonstrate how the development can achieve water neutrality.

4.9 To provide the Council with reassurance that the site is deliverable despite this constraint, it should be noted that our client has worked on other sites with this constraint, and has developed approved strategies in this instance to mitigate development.

#### 5 Conclusion

5.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, we consider that the Plan area is capable of accommodating a greater housing quantum. This will facilitate development and help villages in particular to flourish and meet the objectives of the Local Plan. The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the SDNP. The Council's position of growth is predicated on the basis of the A27 not having sufficient capacity to accommodate a higher growth of 535 dpa. Its own evidence base (Transport Study 2023) contradicts this position and therefore the Council should at least be meeting their local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.

5.2 Our clients land is well placed to assist in the delivery of a sustainable expansion of Kirdford, and deliver both much needed housing within the north-eastern plan area, but also provide highquality infrastructure within the area. The allocation of a greater quantum of housing to the village will support the vitality, and viability of services and facilities within the Northern villages.

5.3 At present, the Plan fails to be positively prepared and is inconsistent with the NPPF. On the basis that the Council don't reconsider their position, we wish to be present at the relevant Examination hearings to represent our clients' interests and further discuss the views set out in this submission. Our next steps will include liaison with the Parish Council in order to best understand what they would like to see from development proposals within the area.

#### Change suggested by respondent:

Increase housing figure.

Legally compliant: Yes

Sound: No

Comply with duty: No

Attachments: Reside Dev., Kirdford - Representation - March 2023 - Final.pdf - <https://chichester.oc2.uk/a/sjz>

**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Mr Graham Pick [8079]**Agent:** Batcheller Monkhouse (Miss Clare Bartlett, Head of Planning) [7032]**Summary:**

The Local Plan fails to consider how housing growth can help to sustain and expand existing public transport provision to make it a more attractive and viable option for existing and future residents. Further housing can also help to support existing shops and services in a settlement which can be accessed without the need to use the A27. In addition, the Local Plan is proposing to deliver 114,652sqm of new employment space up to 2039. Without sufficient homes to house a local workforce it is in effect relying on in-commuting which will worsen the identified A27 capacity issues.

**Full text:**

A key objective of the Government is to significantly boost the supply of housing. Paragraph 60 of the NPPF states that to support this aim it is important that a sufficient amount and variety of land can come forward where it is needed.

In addition, paragraph 11 of the NPPF states:

Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area;

or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 26 of the NPPF further states:

Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.

Section 33a of the Planning and Compulsory Purchase Act 2004 also requires planning authorities to co-operate with other local planning authorities and to engage constructively, actively and on an ongoing basis in the preparation of the Plan, in so far as it relates to a strategic matter. A strategic matter includes the sustainable development and use of land that has or would have a significant impact on at least two planning areas.

Policy H1 of the Draft Local Plan sets out a housing target of at least 10,350 dwellings to be delivered in the period 2021-2039. This equates to an annual provision of 575 dwellings per year, 63 dwellings per year less than the housing target set by Government. Provision for accommodating unmet need arising from the Chichester District part of the South Downs National Park is now no longer proposed. Over the plan period this equates to 1,134 fewer dwellings provided, and potentially 340 fewer affordable homes (based on 30% provision).

The reason for the reduced housing target is cited as being 'constraints', in particular the capacity of the A27.

However, the Local Plan fails to consider how housing growth can help to sustain and expand existing public transport provision to make it a more attractive and viable option for existing and future residents. Further housing can also help to support existing shops and services in a settlement which can be accessed without the need to use the A27.

In particular, Birdham has a range of services and facilities suitable for serving the day to day needs of residents, including a primary school, shop and outdoor community facilities. Regular use of the A27 is not therefore inevitable if living in a settlement where a good range of facilities exists.

In addition, the Local Plan is proposing to deliver 114,652sqm of new employment space up to 2039. If the Local Plan fails to provide sufficient homes to house a local workforce it is in effect relying on in-commuting which will worsen the identified A27 capacity issues.

**Change suggested by respondent:**

Address the housing need. Housing figures should be assigned to settlements which need growth to sustain existing services and which have public transport options.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** Chichester Local Plan Reg 19 Representations.pdf - <https://chichester.oc2.uk/a/sbj>**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Deerhyde Limited [7657]**Agent:** Vail Williams LLP (David Ramsay, Partner) [8134]**Summary:**

Policy H1 (meeting housing needs) sets out the housing requirement for the full plan period of 1 April 2021 to 31 March 2039 as 10,350 dwellings. This allocates 963 dwellings to the Manhood Peninsula and a windfall (small site allowance) allocation of 657 dwellings for the whole district. There are no strategic locations/allocations on the Manhood Peninsula under Policy H2 which is considered unsound, particularly given the position that Selsey holds in the settlement hierarchy. Furthermore, under Policy H3 (non-strategic parish housing requirements 2021-2039) Selsey has been allocated zero housing. Again, this is considered unsound as it prevents sustainable development and access to new houses for all settlements across the district.

An overreliance on consented sites coming forward to provide future housing is considered unsound as, in this case, it effectively prevents any further development on the Peninsula and in Selsey in particular.

**Full text:**

I am pleased to attach our representations in response to the Chichester Local Plan Regulation 19 consultation. These representations are submitted on behalf of our clients Deerhyde Ltd. owners of land in Selsey and located in the area for a significant number of years.

The submitted documents include the following:

- Representations statement

- Plans showing the potential road widening of Golf Links Lane and Paddock Lane, Selsey
- Development potential of sites for residential development at Golf Links Lane and Old Farm Road, Selsey taking account of flood zones 2 and 3 (2 plans 15-085 SK03 and SK04)
- Plans showing access options to Golf Links Lane site
- Plan showing tracking analysis for low-loaders
- Junction analysis
- Submission form

As detailed in the attached, after careful consideration we have concluded that the housing strategy for Chichester is flawed in principle as it fails to allocate sufficient sites in outside Chichester City (or adjacent to) to allow the remainder of the District to continue to provide houses for local people in areas where they are most needed.

In addition, our clients have put forward a suggestion for an infrastructure improvement to Selsey – namely the widening of Golf Links Lane and Paddocks Lane to accommodate delivery of caravans / other HGV / LGVs but also to provide a wider carriageway which could potentially incorporate a pavement / footpath cycleway to aid safer conveyance of pedestrians and vehicles in the area. Adding in a safer highway solution would also encourage car users to walk or cycle for local trips rather than risking congestion in the car. It would have the added benefit of diverting caravan park traffic travelling from the north into the caravan parks earlier and thus relieving congestion of Selsey High Street.

#### Introduction

1.1. Vail Williams LLP has been instructed by Deerhyde Ltd to submit representations to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) document.

1.2. As per the Website, these comments seek to address the three questions namely:

1. Is it legally compliant?
2. Is it sound?
3. Does it comply with the duty to cooperate?

1.3. These representations are largely focussed on the provision of housing and ensuring that a satisfactory access (both vehicular and pedestrian) can be maintained and enhanced, particularly in Selsey.

1.4. These representations reflect the fact that our client, Deerhyde Ltd, owns a significant amount of land in the Selsey area, an interest which was acquired in 1986 but with family ownership going back many years before then.

1.5. Our clients have identified a potential opportunity to facilitate highway improvements within Selsey which would be to the benefit of both residents and tourists using the holiday parks and other attractions alike. This would particularly be of benefit given the Council's acknowledgement that the B2145 through Selsey is the busiest B road in the country. These representations bring into question the 'tests of soundness'. In particular regarding the questions as to whether it is 'sound' on the basis of whether it has been 'positively prepared', whether it is 'justified' and 'effective' in respect of the areas of concern raised with respect to employment land provisions.

1.6. As set out at Paragraph 35 of the NPPF local plans are required to be 'sound'. Plans are considered sound when the following applies:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>1</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy<sup>2</sup>, taking into account the reasonable alternatives<sup>3</sup>, and based on proportionate evidence<sup>4</sup>;
- c) Effective – deliverable over the plan period<sup>5</sup>, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.<sup>6</sup>

1.7. These representations seek to highlight that Chapter 5 (Housing) has not been positively prepared, in so far as it does not provide [1.] "a strategy which, as a minimum, seeks to meet the area's objectively assessed needs".

1.8. It is also considered that Chapter 5 is not justified as the housing strategy is [2.] is inappropriate as it relies on a number of large strategic sites, with multiple issues some of which are in conflict with other parts of the local plan.

1.9. Chapter 5 is also not justified with respect to its provisions do not [3.] take into account reasonable alternative sites.

1.10. It is considered on the basis of the other factors highlighted in these representations and the proposed housing land provision is not 'consistent with national policy' as the proposed provision does not enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant. It is considered that the proposed plans are contrary to the NPPF paragraph 16a, 16b, 16c, 16d and paragraph 20a

## 2 Local Plan Representations

2.1. Having reviewed the draft Local Plan we would make the following comments:

2.2. Paragraph 3.1 asserts the Government's encouragement for local planning authorities to ensure sustainable development is at the forefront when considering planning applications and that the National Planning Policy Framework (NPPF) defines sustainable development as "meeting the needs of the present without compromising the ability of future generations to meet their own needs". Paragraph 3.5 goes on to advise the range of factors as are informed the spatial strategy which underpins the local plan which, inter alia, "the pattern of need and demand for housing and employment across the area", "infrastructure capacity and constraints, in particular related to waste water treatment, roads and transport", "the availability of potential housing types, their deliverability and phasing" and this needs to take place whilst being mindful of the environmental constraints taking a sequential approach to avoiding flood risk areas, protect the environmental designations, landscape quality, the historic environment and settlement character.

2.3. The principles outlined above are supported as these are the key facets of good planning and plan making. However it falls to local authorities to ensure that the sustainable approach includes providing a sufficient supply of homes and facilitating a variety of sites to come forward where needed, and that the needs of groups within specific housing requirements are addressed and that land with permission is developed without unnecessary delay. (Paragraph 65). Paragraph 66 states that within the overall requirement [for housing] strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.

2.4. Paragraph 67 goes on, where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take account of factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

2.5. Paragraph 68 asserts that strategic policy making authorities should have a clear understanding of the land available in their area through the preparation of a Strategic Housing Land Availability Assessment (SHLAA). From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and locally economic viability.

2.6. Further guidance states (Paragraph 69) that small and medium sized sites can make an important [my emphasis] contribution to meeting the housing requirements of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites the local planning authority should identify sites of small and medium size and support the development of windfall sites through their promises and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes.

2.7. Neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites suitable for housing in their area. Paragraph 71 goes on: where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the SHLAA, historic windfall delivery rate and expected future trends.

2.8. Whilst it is noted that the delivery of large scale sites can result in the delivery of large numbers of new homes, it is apparent that such developments take considerable time to work their way through the planning system to an approval and even then are only at outline stage. The delivery of new homes is therefore reliant on the Councils to efficiently determine reserved matters applications and, thereafter, discharge of conditions, to allow a swift implementation of planning applications and a timely start on site for the delivery of housing.

2.9. The inclusion of small and medium sites (ie. not reliant on strategic sites) within the housing mix are invaluable in delivering housing quicker and potentially in places, perhaps outside the main settlements, which would allow new housing to be accessible to all which is one of the key facets of the NPPF.

2.10. This approach would assist with maintaining delivery of housing where existing allocations are either stalled or progressing slowly through the planning system or have simply been delayed in coming forward for perhaps other commercial reasons.

2.11. The plan is largely predicated on strategic sites, as detailed at Policy H2 which would provide 7,195 houses. This is a significant reliance on the strategic sites to deliver 75% of the overall housing target and much of them are predicated on the works to the A27 being completed in order to make them acceptable.

2.12. It should be noted that the above housing provision is predicated on the ability to identify mitigation for the impacts on the European environmental designations (including nutrient neutrality), addressing highway implications and negotiating the planning system.

#### The Manhood Peninsula

2.13. The preferred approached version of the Local Plan does include moderate growth for the settlement hubs of Selsey (250 dwellings) and East Wittering (350) and the service village of Hunston (200). However, since then several planning permissions have contributed to the moderate levels of growth on the Manhood Peninsula which the Council says has accounted for these housing numbers. The plan does not therefore include any strategic allocations on the Manhood Peninsula in recognition of this recently permitted growth and the ongoing constraints the area faces, save for 50 dwellings to come forward at North Mundham.

2.14. This approach is not considered sound as a reason to prevent development of any scale on the Manhood Peninsula (particularly Selsey) for the plan period. As detailed above, it is essential that the plan allocates land across its settlement hierarchy in order to maintain a sustainable and deliverable approach to development and to assist the continuing evolution and economic viability of settlements which rely heavily on tourism and also on new development to maintain the supply of homes to provide options for all sectors of the local community to be able to live on the Peninsula should they so wish.

2.15. It is noted that at Policy S2 (settlement hierarchy), Selsey is listed as a "settlement hub" which is the second tier of settlement under Chichester city. Whilst this hierarchy, particularly in connection with Selsey is supported it is therefore surprising not to see more housing sites allocated within and around Selsey.

2.16. Given the potential number of environmental constraints on the Manhood Peninsula it is unlikely that sites of any excessive size would come forward and large numbers of dwellings would not necessarily result once the sites had taken account of their environmental constraints. That said, and as reflected above, sites of a size proportionate to their location but below "strategic" size can have an important part to play in the delivery of sufficient housing numbers in the right location at the right time in accordance with the NPPF.

#### Housing

2.17. Policy H1 (meeting housing needs) sets out the housing requirement for the full plan period of 1 April 2021 to 31 March 2039 as 10,350 dwellings. This allocates 963 dwellings to the Manhood Peninsula and a windfall (small site allowance) allocation of 657 dwellings for the whole district. There are no strategic locations/allocations on the Manhood Peninsula under Policy H2 which is considered unsound, particularly given the position that Selsey holds in the settlement hierarchy. Furthermore, under Policy H3 (non-strategic parish housing requirements 2021-2039) Selsey has been allocated zero housing. Again, this is considered unsound as it prevents sustainable development and access to new houses for all settlements across the district.

2.18. An overreliance on consented sites coming forward to provide future housing is considered unsound as, in this case, it effectively prevents any further development on the Peninsula and in Selsey in particular.

#### Transport

2.19. Policy T1 (transport infrastructure) is specifically aimed at ensuring that integrated transport measures will be developed to mitigate the impact of planned development on the highway network, improve highway safety and air quality, promote more sustainable travel patterns and encourage increased use of sustainable motor travel, such as public transport, cycling and walking.

2.20. The council will work with National Highways, WSCC, other transport and service providers and developers to provide a better integrated transport network and improve accessibility to key services and facilities. The policy lists seven ways in which the key objectives of reducing the need to travel by car, enabling access to sustainable means of travel, including public transport, walking and cycling; managing travel demands; and mitigating the impacts of travelling by car can be achieved.

2.21. Whilst it is not intended to go through all of these in this document it is noted that all parties are expected to support the four objectives by working with relevant providers to improve accessibility to key services and facilities which would be relevant to Selsey (see below).

2.22. The policy is also aimed at planning to achieve a timely delivery of transport infrastructure on the A27 and elsewhere on the network which is needed to support new housing, employment and other development identified in this plan. The phasing of delivery of new development to align with provision of new transport infrastructure such as improvements to the A27 and elsewhere on the highway network, will be key to managing impacts on the highway. This is yet another impediment to the delivery of a strategic allocations and larger scale development which would, by their very nature, generate a higher highway impact on the transport network than carefully planned smaller developments which could satisfy a much more localised

need and be cause less impact on the strategic road network. The tariff proposals outlined at paragraph 8.20 only covers part of West of Chichester and Tangmere SDLs and not the other strategic sites outlined at Policy H2.

2.23. Critically it is also understood that Highways England has pulled funding for the improvements to the Bognor Road roundabout as part of a package of A27 improvements. On this basis it is unclear how further funding would be secured at this time.

2.24. The lack of soundness to the approach of significant reliance on strategic sites, due to the current lack of capacity of the A27, is evident in the text that accompanies the policy which states that opportunities to secure funding to implement this package of improvements will be maximised by working proactively with Government agencies, other public sector organisations and private investors. Developer contributions from new development will also be sought. It is clear that smaller scale developments which would have a significantly lesser impact on the highway network could deliver housing quicker and with fewer constraints to implementation. It is for these reasons that smaller sites should be allocated, particularly in the Manhood Peninsula, for development.

2.25. The content of Policy T2 (transport development) is largely supported and considered sound save for the fact that it does not seem to cover the improvement of local transport routes, particularly those that would assist in improving the circulation of traffic around smaller settlements. The policy should be amended to specifically relate to local transport improvements which are locally important to aid traffic circulation and reduce congestion.

#### Neighbourhood Plan

2.26. The Selsey Neighbourhood Plan does not seek to allocate any sites or residential development, instead relying on those which were allocated in the previous local plan and, in particular, developments at Park Farm/Middle Field and Drift Field totalling 249 houses. It is assumed that this existing commitment accommodates the neighbourhood plan of 150 houses which is the justification for not allocating of residential development in the neighbourhood plan. However, this is short sighted as the neighbourhood plan runs to 2029 and, although development sites are largely controversial within smaller communities there is a lack of recognition of the requirement to provide new houses for existing and future residents (including descendants of current residents) in order to maintain the vitality and viability of the settlement outside of the tourist season where it is recognised that the local population will swell.

2.27. These points add further weight to the considered lack of soundness to the housing policies in the local plan which fail to recognise the need for smaller allocations within the Manhood Peninsula, particularly Selsey.

### 3 Local Infrastructure Provision

#### Selsey Road Improvements

3.1. Our clients wish to put forward a potential highway improvement scheme for Selsey which has come about given their extensive historic knowledge of the town and experience of significant congestion along Selsey High Street as a result of an over-reliance of this route by traffic using the caravan parks. It would be a common sense alternative route (to using High Street) which will alleviate congestion along Selsey High Street/School Lane/Paddock Lane/Warners Lane, particularly during the summer months.

3.2. The local plan focusses its attention on the need to improve the strategic highway network but this proposal would provide a significant benefit at a local level in Selsey. As per the attached plan, our clients propose to widen Golf Links Lane from its junction with the B2145 Chichester Road to its junction with Paddock Lane, then widen Paddock Lane and make it up to adoptable standard to enable delivery of holiday traffic to the point where it meets the north eastern corner of White Horse Caravan Park, from which point the road has been made up to carry holiday traffic. At the moment, the northern section of Paddock Lane is just a rough track which is not suitable for ordinary road traffic. It is envisaged that, in conjunction with the owner of the largest caravan parks, Warner's Lane will also be improved. It is currently a tarmac road in poor condition with no footways and one section is too narrow to allow two vehicles to pass each other. This is not satisfactory for the major access route to the largest caravan parks.

3.3. Golf Links Lane is currently a single track, tarmac road which is in poor condition. It is two-way but much of it is too narrow to allow two vehicles to pass each other. It serves Northcommon Farm, a small housing development on the northern side, Selsey Golf Club and Selsey Country Club (which comprises c.300 holiday chalets and an associated licensed club). If it were to be made up to adoptable standard to the point where it meets Paddock Lane, it would improve access for existing users but, importantly, it would also create a more direct access route (in conjunction with Paddock Lane) for traffic associated with thousands of holiday caravans as well as a touring caravan park.

3.4. Given that a large proportion of holiday traffic and other tourist industry-related traffic (HGVs carrying food and drink, caravan transporters, tractor/trailer transport and public transport) use the route along High Street/School Lane/Paddock Lane/Warners Lane it is considered that this could be diverted from the B2145 Chichester Road further north than Selsey High Street, thus taking traffic away from the congested High Street. An easier, more direct route to the major caravan parks would be an attractive alternative.

3.5. The mechanism to deliver such a proposal is not yet the subject of formal agreement. A large proportion of the land required to widen the roads is within the ownership of Deerhyde Limited (our clients) and the owner of the major caravan parks. The latter has been very supportive of the proposal verbally. A short section of land is not in any specific ownership but our clients have long-standing rights over its use, which can be traced back to 1830. Our clients are serious about facilitating these highway improvements, including the use of their land, which will inevitably have a significant financial impact upon them.

#### Potential Residential Development Sites

3.6. In order to mitigate the financial impact including both the loss of their land and the implementation of the proposed highway improvements our clients would like to promote two sites for residential development, namely land north of Golf Links Lane (13.5 acres/5.46 hectares) and land west of Old Farm Road for residential development. Whilst the north western corner of the site is located within Flood Zones 2 and 3 it is considered that the developable area of the site would be approximately 4 hectares and could therefore deliver approximately 120 to 140 dwellings. This includes retaining the existing boundary screening along the south eastern boundary and avoiding Flood Zones 2 and 3. An indicative plan is attached to this statement.

3.7. Thawscroft Ltd, an associated company, also owns land west of Old Farm Road, Selsey (2.8ha / 6.9 acres) which taking account of the flood risk constraints along its western boundary could accommodate approximately 50 dwellings. An indicative plan is attached to this statement.

3.8. Having reviewed the planning history of the site it is noted that a planning application (under the name of Thawscroft Limited) was made in December 2016, refused in June 2017 and the appeal was dismissed on 11 June 2018.

3.9. The reasons for refusal related to the following:

1. Site is located outside the defined settlement boundary for Selsey.

2. When the planning officer was giving evidence, he stated that he knew of an alternative site at lower risk of flooding but he would not identify it. After the appeal, an area of land north of Park Lane was identified for 250 houses. The land in question becomes waterlogged in the winter and is highly prone to surface water flooding. It is also only about 250m from Pagham Harbour, a site of major ecological importance with a significant level of

protection afforded to it. The planning officer said the real issue with our appeal was one of numbers so it seemed curious to me that a site with a much larger number (250) was identified soon afterwards. Also, the land south of Park Lane (similarly prone to surface water flooding) was in the numbers for 2015/20 but in fact could not be started until 2021 so the planning inspector was misled. I believe that was crucial to the outcome. Landlink have proposed land west of the "Wave" roundabout (opposite Asda). This may be as an alternative for the land north of Park Lane. Neither parcel would be a good fit in the settlement policy area, whereas the land to the west of Old Farm Road would be, a fact acknowledged by planning officers in the past.

3. We did in fact offer to provide contributions towards improving the A27 so that reason for refusal was withdrawn prior to the appeal being heard.

4. As far as I can recall, the Council was content with our proposals in these matters at the time the appeal was heard. The criticism was that the need to avoid Flood Zones 2 and 3 created a narrow site which meant that the layout was said to be cramped. It could be that, with a smaller number of houses, MH Architects could provide an improved layout. Maybe this is reflected in the plan to which Vail Williams refer in paragraph 3.13.

3.10. It is considered that, as detailed above, given the Council's approach to an over-reliance on large strategic sites to fulfil its housing need and the lack of sites identified for development on the Manhood Peninsula (and in Selsey in particular) during the plan period this site could be proven to be an appropriate location for development as a "windfall site" to help maintain housing supply whilst the strategic sites are in the planning system.

3.11. It is considered the dwellings on the site could be laid out to avoid the Flood Zones 2 and 3 and therefore be at considerably less flood risk than the proposal which was dismissed at appeal. This is set out in the enclosed plan. This would overcome reason for refusal 2.

3.12. Reasons for refusal 3 and 4 would be overcome through the agreement of under Section 106 of the Town & Country Planning Act to provide contributions towards the improvement to the A27 on a proportionate basis to the size of the site and the number of dwellings and also the relevant number of affordable housing units required by policy (or justified as part of a viability exercise). Other matters such as the management of the landscaping, open space, buffers and drainage infrastructure could also be secured by the Section 106 agreement.

3.13. We commend the above highways solution and subsequent development sites to officers in consideration of the draft Local Plan.

#### 4 Conclusions

4.1. It is clear that whilst the overarching strategy of the location of the majority of development in the largest urban settlement of Chichester or adjacent to it is sound the lack of allocation of significant housing numbers to those areas outside Chichester is unsound. This would mean that the vast majority of the district would attract very little housing over the planning period to 2039 thus ensuring that existing settlements would not evolve and would potentially shrink as existing residents and descendants of residents migrate to the Chichester or its strategic urban extensions.

4.2. Outside Chichester, the strategic proposals for Southbourne and Tangmere are similarly isolated. The Manhood Peninsula is particularly lacking in the provision of additional housing sites during the plan period with the justification provided that, for Selsey in particular, recent planning permissions which are being built or have been completed would accommodate all of the housing need going forward for the plan period.

4.3. This approach is flawed for two main reasons (making the Local Plan unsound):

1. The over-reliance on strategic allocations which themselves are constrained by the capacity issues on the A27 and environmental issues such as nitrate neutrality (and any future water neutrality issues which migrate south from the north of Chichester) and the usual impacts on the European sites could mean that these sites are slower in being delivered with little in the way of alternatives allowed for in the local plan.

2. The failure to acknowledge any future development potential of note within the Manhood Peninsula and in particular Selsey will constrain the continued vitality and viability of the settlements within the Manhood Peninsula, particularly following the pandemic when the service sectors are struggling. Taking into account that Selsey in particular but other settlements along the coast within the Manhood Peninsula are reliant on seasonal tourist activity, additional residents are relied upon outside these times in order to provide income for those businesses which may struggle to survive outside the holiday seasons. An effective block on development would significantly reduce the potential future viability of these settlements outside the tourist season.

4.4. The emphasis on the stated urban-focussed housing strategy encourages neighbourhood planning groups/parish and town councils to maintain an opposition to the relevant rather than a proactive policy framework to direct appropriate development within their areas.

4.5. Our clients have detailed above one way which their land could be used in conjunction with others to facilitate a local infrastructure improvement to assist traffic circulation and access in and around Selsey itself which would need to be funded by future residential development and we commend this proposal to you for further consideration.

4.6. We trust that officers will take these representations into account and we look forward to receiving confirmation that the representations have been duly made.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Local Plan Reg 19 Representation Form - Chichester Local Plan - <https://chichester.oc2.uk/a/sjm>  
 15-085\_SK03\_Image - <https://chichester.oc2.uk/a/sjy>  
 22-0360 SK02 - Potential Site Access Option 2 - <https://chichester.oc2.uk/a/sjq>  
 22-0360 sk03\_DRAFT - Potential Site Access - Paddock Lane - <https://chichester.oc2.uk/a/skr>  
 22-0360 SP01\_DRAFT - Paddock Lane - SPA Inbound - <https://chichester.oc2.uk/a/sks>  
 22-0360 SPP02\_DRAFT - Paddock Lane - SPA Outbound - <https://chichester.oc2.uk/a/skt>  
 23 01 03\_22-0360\_TFD - <https://chichester.oc2.uk/a/sk3>  
 23 01 04\_B2145-Golf Links Lane - <https://chichester.oc2.uk/a/sk4>  
 15-085\_SK04\_A.pdf - <https://chichester.oc2.uk/a/spc>  
 Representations to the Chichester Local Plan - March 2023 - Deerhyde Ltd - <https://chichester.oc2.uk/a/spd>



**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Gleeson Land (Mr Dominick Veasey, Planning Manager) [7915]**Summary:**

The Plan should meet at least its full identified need of 638dpa, plus an additional buffer to accommodate unmet needs from SDNP(40 dpa), plus a 5% flexibility buffer. The resulting housing figure being 712 dpa. Based on the currently identified supply of 10,359 dwellings, a further circa. 2,500 homes (rounded) would need to be identified. Sustainable and suitable locations for growth, such as Chidham and Hambrook parish, should be revisited to help need the housing supply shortfall. The Council should also critically review the robustness of the 'Category b Known commitments' supply components.

**Full text:**

The Plan should meet at least its full identified need of 638dpa, plus an additional buffer to accommodate unmet needs from SDNP(40 dpa), plus a 5% flexibility buffer. The resulting housing figure being 712 dpa. Based on the currently identified supply of 10,359 dwellings, a further circa. 2,500 homes (rounded) would need to be identified. Sustainable and suitable locations for growth, such as Chidham and Hambrook parish, should be revisited to help need the housing supply shortfall. The Council should also critically review the robustness of the 'Category b Known commitments' supply components.

**Change suggested by respondent:**

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**Legally compliant:** Yes**Sound:** No**Comply with duty:** No**Attachments:** Policy\_H1\_Gleeson\_Land.pdf - <https://chichester.oc2.uk/a/sc7>**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Elivia Homes [7817]**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]**Summary:**

These submissions confirm that the housing needs of the plan area will not be met by the proposed 10,350 dwelling requirement set out in Policy H1 of the Reg 19 Plan.

According to the standard method the minimum housing need is 11,484 dwellings (638 x 18). When the growth of the student population (28dpa) is factored in the minimum housing need increases to 11,988 homes, and when the full affordable housing needs (433dpa) are taken into account the overall need increases to at least 19,485 dwellings. Finally, there is a need for excess of 10,000 more homes to address the unmet needs of the sub-region.

**Full text:**

1.1 These representations to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) Consultation (hereafter referred to as the "Reg 19 Plan") have been prepared by Genesis Town Planning, on behalf of Elivia Homes Southern Ltd.

1.2 The representations also include at Appendix 1 a plan indicating the proposed settlement boundary extension at Clay Lane, which should be adopted to take account of the existing strategic allocation to the north, and the recent grant of planning permissions to the south. The inclusion of the land, which extends to approximately 2ha, is a logical extension of the boundary at this location and will provide the opportunity to deliver new housing in a way which is compatible with the character of the surrounding area. Such an approach complies with sustainability objectives and ensures that sites adjacent to the primary settlement of Chichester are appropriately considered as suitable sites to accommodate further housing.

1.3 Accompanying these representations are the appropriate representation forms in respect of Settlement Map A6a and SB1, Policy S1 and paragraph 3.7, and policy H1. These forms are to be read in conjunction with this submission.

**2 LEGAL COMPLIANCE**

2.1 One of the requirements for the preparation of a Local Plan as set in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, (as amended) is the publication of a Sustainability Appraisal (SA) that shows how the SA has been carried out, the information that is used as part of the process and what the outcomes were. The SA is a tool for assessing how the plan, when judged against other reasonable options will help achieve environmental, economic and social objectives.

2.2 The SA suggests that there is little or no argument for setting a housing requirement above the minimum local housing need of the 638 dwellings per annum (dpa) as set by the standard method (763dpa minus 125dpa for South Downs National Park area). This approach is contrary to paragraph 11a) of the National Planning Policy Framework (NPPF) in that it requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of their area.

2.3 It is noted that paragraph 11b) confirms that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas unless this is demonstrated to be unsustainable. The background evidence base for the Reg 19 Plan does not clearly demonstrate the reasons for restricting the overall scale, type and distribution of development in the plan area or that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

2.4 It is noted that the standard method requirement of 638dpa for the plan area is arrived at by removing 125dpa for the part of the district that falls within the South Downs National Park. The lack of any meaningful assessment for providing sufficient housing to meet the standard method figure is a significant error. Without such an assessment, the SA disregards the possibility of providing for sustainable development at the outset and does not therefore accord with the regulatory requirements referred to above.

2.5 Table 5.3 of the SA identifies a range of development scenarios with dwelling requirements for the plan area ranging from 567dpa to 606 dpa. These figures result in a shortfall of between 32dpa and 71dpa when compared to the standard method requirement of 638 dpa. As neither of these figures is significantly above the standard method figure, it is not unreasonable to expect the SA to also test a housing requirement/scenario of 638dpa, so that it reflects the confirmed minimum housing need of the plan area. This would be a reasonable alternative and should be tested. Only when this has been carried will it be possible to fully understand the likely implications of meeting housing needs in full. In doing this, the Plan will then comply with the Legal and Procedural Requirements.

**3 SOUNDNESS**

3.1 As set in paragraph 35 of the NPPF when local plans and spatial development strategies are examined they should be prepared in accordance with legal and procedural requirements to ensure that they are sound. It goes on to state that:

"Plans are sound if they are:

- a) Positively prepared – providing a strategy which, as minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."

3.2 As set out above, the Reg 19 Plan does not provide a strategy that seeks to meet the area's objectively assessed housing need, and the SA does not test all the reasonable alternatives. On this basis the plan has not been positively prepared and is not justified. As a result it is contrary to paragraphs 35a) and 35b) of the NPPF.

3.3 In addition to this, there is no clear evidence of effective and on-going working with neighbouring authorities as part of the statutory duty to cooperate. The SoCG should be made publicly available throughout the plan making process to provide transparency. Based on paragraph 1.25 of the Reg 19 Plan this requirement has not been carried out. This confirms that a SoCG is currently being prepared and will be made available for review on the council's website. As a result, the SoCG should have been made available on the LPA's website at the time the Reg 19 Plan was published for consultation. This does not appear to have been the case, which means that this part of the plan making process does not meet the requirements set out in paragraphs 27 and 35c) of the NPPF. As such the effectiveness test has not been complied with in full. The lack of a fully detailed SoCG on the Duty to Cooperate is particularly important in Chichester District as there is a substantial unmet need for housing arising in neighbouring authorities and other nearby authorities across the same sub-region. As yet the evidence base of the Reg19 Plan does not explain or demonstrate how the unmet housing need will be met.

3.4 This is an important omission as it does not accord with the procedural requirements. Until the outcome of this process is known and fully understood it is difficult to know if or how the strategy in the Reg 19 Plan is appropriate or needs modification.

#### 4 COMMENTS ON THE REG 19 DRAFT PLAN

##### Policy H1 – Meeting Housing Needs

4.1 No exceptional circumstances exist in Chichester District to justify an alternative approach that deviates from the standard method figure of 763dpa. Taking account of the South Downs National Park requirement of 125dpa results in a minimum need of 638dpa for Chichester District.

4.2 Furthermore, the housing needs of particular groups are not reflected in the current standard method requirement of 638dpa. These include the following groups:

- Students – which creates a need for an additional 29dpa;
- people who require affordable housing - which generates a need of 433 affordable dpa (based on this figure and the thresholds set out in draft Policy H4: Affordable Housing it would be necessary to deliver 1,083 homes per annum to meet affordable housing need in full); and
- the unmet housing needs of neighbouring authorities and/or authorities in the same subregion, which at best are between 10,141 and 10,620 homes.

4.3 When the needs of students are added to the standard method figure the minimum need dwelling requirement would be 666dpa or 11,988 dwellings over the 18-year plan period 2021-2039.

4.4 When the full affordable need of 1,083dpa is factored in this results in a need for at least 19,494 dwellings over the plan period.

4.5 In addition to the above figures, there is also an unmet need for over 10,000 homes in related authorities over the plan period.

4.6 Based on the above there is clearly a need for significantly more homes than is suggested by the minimum standard method figure.

##### Infrastructure Capacity

4.7 Whilst it is noted that there are long-standing highway capacity issues on the A27 Chichester Bypass and more intermittent capacity problems with Wastewater Treatment facilities in the southern part of the district, these could be resolved if the emerging Reg 19 Plan made provisions to improve their capacity through proper long-term planning.

4.8 This approach is supported by paragraph 22 of the NPPF which confirms that plan-making should respond to long-term infrastructure requirements; and by paragraph 059 Ref ID 61-059 of the Planning Practice Guidance (PPG) which requires local planning authorities and policies that set out infrastructure deficiencies and how these will be addressed.

4.9 Existing capacity problems on the A27 are referred to throughout the Reg 19 Plan and its evidence base. Paragraph 5.2.11 of the SA refers to the southern plan area (i.e. the east-west corridor and Manhood Peninsula) as being highly constrained by capacity on the A27 and to detailed discussions with National Highways and West Sussex County Council (WSCC) over the course of 2019-2022 that led to a resolution that there is capacity for no more than 535dpa in this area. The background evidence does not, however, make it clear as to how the 535dpa figure was arrived at or the implications/infrastructure improvements that would be required to accommodate a higher dwelling provision in this part of the plan area.

4.10 It is important to note the "Chichester Transport Study - Local Plan Review Transport

Assessment" (January 2023) prepared by Stantec is mainly focused on testing a single Local Plan spatial scenario for the period to 2039. Section 5.6 confirms that in addition to testing the 535 dpa in the south of the plan area that a sensitivity test for the delivery of 700 dpa in this part of the plan area was also carried out. Paragraph 5.6.1 confirms that higher levels of Local Plan development would enable higher levels of developer contributions to be raised towards funding the required Local Plan mitigation; and paragraph 5.6.3 comments that generally the proposed Strategic Road Network (SRN) mitigation can accommodate, in the most part, additional increase in development to 700 dpa. This is reiterated in paragraph 5.6.5 where it concludes "that in the main, the 700dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700 dpa demands, with additional mitigation being required".

4.11 Paragraph 8.5 of the Reg 19 Plan comments that in 2021 National Highways confirmed that the A27 Chichester By-Pass major improvement scheme is included in the Road Investment Strategy Pipeline for the period 2025-30 (RIS3), but at this stage funding is not guaranteed. This situation is not uncommon as are many infrastructure projects which are considered necessary to support the emerging Local Plan. This is demonstrated by Table 3 of the Infrastructure Delivery Plan (January 2023). The fact that the funding has not yet been secured towards certain types of infrastructure, such as healthcare, should not be used as a reason to constrain the level of housing proposed in the emerging Local Plan. This approach also applies to transport infrastructure.

4.12 The approach of the Reg 19 Plan to impose limits on the amount of development over the Plan period because of existing infrastructure capacity issues is inconsistent with the objectives of national policy and could undermine the prospects of securing the funding necessary to improve infrastructure capacity. The approach of the emerging plan is therefore negative worded as it has the effect of constraining the level of housing below

the minimum level needed and does not accord with the PPG or the objectives of national policy. A better, and more positive approach would be to plan for the necessary infrastructure, which in turn will maximise the prospects of securing the required infrastructure instead of deferring it.

4.13 The emerging Local Plan advocates a “monitor and manage” approach such that the funding for the necessary improvements to the A27 will be monitored, which itself will jeopardise that funding, and if the funding is secured then presumably the corresponding level of housing will be released to address some of the housing need. Instead of this approach, the emerging plan should pursue a “plan, monitor and manage” approach to meeting housing needs in full by committing to the delivery of the infrastructure improvements and if necessary, phasing the housing requirements towards the end of the plan period.

#### The Proposed Housing Requirement

4.14 These submissions confirm that the housing needs of the plan area will not be met by the proposed 10,350 dwelling requirement set out in Policy H1 of the Reg 19 Plan.

4.15 According to the standard method the minimum housing need is 11,484 dwellings (638 x 18). When the growth of the student population (28dpa) is factored in the minimum housing need increases to 11,988 homes, and when the full affordable housing needs (433dpa) are taken into account the overall need increases to at least 19,485 dwellings. Finally, there is a need for excess of 10,000 more homes to address the unmet needs of the sub-region.

#### Suggested Modification

4.16 Based on the above it is clear that the Policy H1 requirement needs to be reconsidered and increased. This can be achieved if the Local Plan seeks to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of NPPF.

4.17 In setting a revised housing requirement, the District Council must take into account the needs of particular groups (i.e. students and persons in need of affordable homes) and complete the Duty to Cooperate process by preparing a SoCG in respect of the unmet needs of the sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs.

#### Policy S1 - Spatial Development Strategy

4.18 Chapter 3 and Policy S1 of the Reg 19 Plan sets out the spatial strategy of the emerging plan.

These seek to disperse development across the plan area by:

1. Focusing the majority of planned sustainable growth at Chichester city and within the eastwest corridor;
2. Reinforcing the role of the Manhood Peninsula as home to existing communities, tourism and agricultural enterprise; and
3. Where opportunities arise, supporting the villages and rural communities in the North of the Plan Area.

4.19 An increased dwelling requirement (as suggested in the context of Policy H1 above) could be accommodated without the need to significantly alter the proposed spatial strategy of the Reg 19 Plan.

4.20 In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City.

4.21 In this respect the inclusion of additional land would make a significant contribution towards the delivery of the required housing need for Chichester, providing a flexible approach to housing delivery in a planned and progressive way.

#### Suggested Modification

4.22 The inclusion of land north of Clay Lane, as set out in Appendix 1 to these submissions, through an amendment to the settlement boundary on plans A6a and SB1, should comprise the area denoted in yellow.

4.23 This is a logical extension of the settlement boundary and aligns with the strategic allocation land to the west of Chichester, and the recently developed land to the south of Clay Lane. The enlarged settlement area comprises mostly commercial, and residential land (PDL) and is well contained by existing trees and vegetation to its boundaries. To the west, the site is also contained by the A27 which provides a clear defensible boundary, significantly screened by existing planting. As such, the site makes no meaningful contribution to wider open countryside, being as it is, contained by development or infrastructure features on all boundaries.

4.24 Providing a contiguous boundary to include the proposed settlement extension will not impact on the wider countryside, will result in no adverse impact on the landscape setting of the settlement of Chichester, and will ensure that a developable parcel of land makes a meaningful contribution to the district's housing need. Being located on the edge of Chichester City and its settlement boundary and to the south of the strategic allocation suggests that the site is sustainably located and therefore appropriate to accommodate further development.

#### Change suggested by respondent:

Based on the above it is clear that the Policy H1 requirement needs to be reconsidered and increased. This can be achieved if the Local Plan seeks to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of NPPF.

In setting a revised housing requirement, the District Council must take into account the needs of particular groups (i.e. students and persons in need of affordable homes) and complete the Duty to Cooperate process by preparing a SoCG in respect of the unmet needs of the sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Reg 19 Reqs Final Doc V3 160323 redacted - <https://chichester.oc2.uk/a/sk5>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor. We do not trust the use of the phrase “exceptional circumstances” within this Draft plan – it is too open-ended and provides a get-out-of-jail free card to developers and it could very well lead to stated and sensible Policies being overridden.

#### Full text:

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Seaward Strategic Land Ltd and Owners of Land on Penny Lane, Hermitage [8035]

**Agent:** Luken Beck MDP Ltd (Mr Ian Johnson) [111]

**Summary:**

The District's local housing need and the development strategy is 'unsound'. The policy requirement to deliver 10,359 dwellings / 575 dwellings per annum, (dpa) over the Plan period (2021-2039), is derived from a suppressed objectively assessed need of 11,497 / 638 dpa. Whereas this is referred to in paragraph 5.2 of the supporting text as a result of constrained highway capacity on the A27 there is provision within draft Policy I1 of the Proposed Submission Draft Local Plan and the associated Infrastructure Delivery Plan (IDP) to ensure the infrastructure and funding mechanisms are available to support the delivery of housing.

The supporting text states the Council have made no provision to accommodate the unmet needs of the adjoining and other Local Authorities such as Arun District Council, who persistently fail to meet their housing delivery targets. The policy is therefore not considered to be positively prepared or consistent with national policy.

Paragraph 61 of the NPPF requires strategic policies to identify a minimum number of homes, through undertaking a standard method of assessment, unless there are exceptional circumstances to justify an alternative approach which also reflects current and future demographic trends and market signals.

The Council have not sufficiently evidenced the lack of capacity within the A27 or fully justified a departure from the standard methodology in any other regard. The proposed policy wording is therefore not considered to be positively prepared, consistent with national policy nor will it be effective in delivering the District's full local housing need in sustainable locations, such as the Settlement Hubs and Service Villages.

**Full text:**

The District's local housing need and the development strategy is 'unsound'. The policy requirement to deliver 10,359 dwellings / 575 dwellings per annum, (dpa) over the Plan period (2021-2039), is derived from a suppressed objectively assessed need of 11,497 / 638 dpa. Whereas this is referred to in paragraph 5.2 of the supporting text as a result of constrained highway capacity on the A27 there is provision within draft Policy I1 of the Proposed Submission Draft Local Plan and the associated Infrastructure Delivery Plan (IDP) to ensure the infrastructure and funding mechanisms are available to support the delivery of housing.

**Change suggested by respondent:**

We therefore request the Council review the approach towards meeting the full local housing needs of the District and plan for an increased supply of housing over the Plan period, in particular within the early years of the Plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Gladman Developments Ltd (Mr Rob Wilding, Senior Planner) [7816]

**Summary:**

Additional supply flexibility of 15% above the housing requirement should be identified to safeguard against the non-implementation and delivery of housing proposals and to ensure the Plan is effective and positively prepared in line with paragraph 35 of the NPPF.

Strongly disagree with the no. of homes allocated to the Manhood Peninsula.

Concerns that progressing with the proposed housing requirement in its current form will further exacerbate the significant shortage of affordable homes within Chichester and increase affordability issues in the district.

**Full text:**

The table included within Policy H1 shows an overall housing supply of 10,359 dwellings over the 2021-2039 plan period. This equates to a flexibility allowance of just 0.087%. Further flexibility needs to be built into the housing supply to allow for any phasing issues and an element of non-delivery of sites. The Levelling-up and Regeneration Bill: reforms to national planning policy consultation noted that their analysis suggests 15% of planning permissions are not progressed or are revised.

In this regard, Gladman consider that an additional supply flexibility of 15% above the housing requirement should be identified to safeguard against the non-implementation and delivery of housing proposals and to ensure the Plan is effective and positively prepared in line with paragraph 35 of the NPPF. This would result in the Council needing to identify a further 1,550 homes over the plan period.

Gladman strongly disagree with the no. of homes allocated to the Manhood Peninsula. The 963 dwellings figure over the plan period comprises of existing housing completions and commitments in the area and it does not include any new strategic housing allocations. The Council maintain that is due to recognition of the recently permitted growth and the on-going constraints in the area such as groundwater flood risk. The reason why there is a high no. of commitments in the area in recent years is due to Chichester District Council currently being unable to demonstrate a robust five-year housing land supply.

A small amount of allocated housing growth has been allocated to the Manhood Peninsula area of the district due to the uncertainty surrounding the impact of groundwater flood risk in the area, following the publication of the revised PPG guidance on flood risk and coastal change (August 2022). A high-level data map was produced by JBA Consulting which indicates likely groundwater levels across the district taking into account factors such as topography, groundwater recharge volumes and spatial variations in aquifer storage and transmission properties. Whilst this provides a useful starting point for any assessment of groundwater flood risk, it does not necessarily assess the risk of groundwater flood risk.

Gladman's land interest at land off Main Road, Birdham lies in the Manhood Peninsula area. An outline planning application was submitted by Gladman in June 2021 and is currently under determination by the Council (application ref: 21/01830/OUT). Gladman have recently submitted a Groundwater Flood Risk Assessment (GFRA) which concludes that the site is at negligible risk of groundwater flooding at ground level and low to moderate risk below ground level with appropriate mitigation where required. The GFRA is currently subject to review by the Lead Local Flood Authority and if a no objection response is submitted, the application will be reported to Chichester's Planning Committee with no outstanding technical issues likely to be in April 2023.

Furthermore, Gladman have concerns that progressing with the proposed housing requirement in its current form will further exacerbate the significant shortage of affordable homes within Chichester and increase affordability issues in the district. The ratio of house prices to earnings in 2021 for Chichester is 14.61 and is therefore one of highest in the country.

**Change suggested by respondent:**

15% above the housing requirement should be identified to safeguard against the non-implementation and delivery of housing proposals and to ensure the Plan is effective and positively prepared.

Higher number of homes should be allocated to the Manhood Peninsula.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** CEG and the Landowners (D C Heaver and Eurequity IC Limited) [7854]

**Agent:** CEG and the Landowners (D C Heaver and Eurequity IC Limited) (Hywel James, Associate Director) [7398]

**Summary:**

Given that the highways and transport evidence indicates that 700dpa could be supported in the southern plan area, it is imperative that the SA higher housing growth scenarios including meeting the minimum LHN figure (minus the 70dpa being delivered by the SDNPA) – 694dpa – in full.

The continued suppression of the housing requirement through the Plan is not justified and, accordingly, is inconsistent paragraph 35b of the Framework.

**Full text:**

Please see attached representations.

**Change suggested by respondent:**

In order to address this soundness issue, the following amendments are required:

- i. The introductory text and the first line within the table under Policy H1 to identify a minimum housing requirement of 12,492 dwellings
- ii. Additional site allocations identified to meet the housing requirement.

In accordance with paragraph 105 of the Framework, the site selection process should seek to focus new

allocations at the most sustainable locations within Chichester District in accordance with the spatial strategy identified at Policy SP1.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Policy H1 Representations.pdf - <https://chichester.oc2.uk/a/s7f>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Welbeck Strategic Land IV LLP [7970]

**Agent:** Mrs Sarah Hufford [7969]

**Summary:**

The OAHN of 638 dpa should be met in full, particularly given the significantly higher medium house prices in Chichester. Otherwise, there would be heightened problems of affordability and over-occupation.

The Plan should meet the needs of the SDNP and the housing provision for 2021 – 2029 should be 763 dwellings per annum

Growth should be included within the Manhood Peninsular, at the previous level of 600 dwellings. Accordingly, this means that the broad spatial distribution of housing within the Manhood Peninsular should be at least 1,563 dwellings and not 963 dwellings as indicated.

**Full text:**

Whilst we acknowledge that Chichester District Council is positively attempting to address housing need within the District, we object to proposed plan area total of 10,359 dwellings and point out that this figure is too low when compared to the data provided within the HEDNA (April 2020). The objectively assessed housing need (OAHN) of 638 dwellings per annum should be met in full, particularly given the significantly higher medium house prices in Chichester, also set out within the HEDNA. Failing to meet the OAHN will lead to heightened problems of affordability and over-occupation within the District. It is therefore considered that the policy is not 'positively prepared'.

It is also objected to on the basis that there is no firm allowance made for meeting the requirements of the South Downs National Park, which would be an additional 125 dwellings per annum in line with the HEDNA. It is therefore considered that the housing provision for 2021 – 2029 should be based on 763 dwellings per annum or a total of 13,734 dwellings. The Policy is therefore not 'positively prepared' in this regard unless such provision is made.

The supporting text for Policy H1 reads:

'constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method of 525 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039'

Whilst acknowledging the ongoing delays to plans to upgrade the A27, objection also arises from the unbalanced nature of the strategy, which places 84% of housing growth within the east-west corridor, thereby focusing housing on the area of greatest transport infrastructure constraint. A more balanced spatial approach should be adopted with more land allocated within the South of the District, adjacent to Settlement Hubs, which would put less pressure on the A27.

The Preferred Approach version of the Local Plan included moderate growth for the Manhood Peninsula for 600 dwellings, including at the Settlement Hub of East Wittering for 350 dwellings (but within the Parish of West Wittering). As noted under objections to Policy S1, it is considered that the Manhood Peninsula, and the settlement of East Wittering in particular, can accommodate future, modest growth.

It is also acknowledged within the Sustainability Appraisal (January 2023) that there is clear support for development on the Manhood Peninsular, because there is not a requirement for nutrient neutrality (affecting much of the East-West corridor). Development would also support services which need to be bolstered in view of the significantly more elderly population here.

As noted under Policy S1, it is also considered that the data underpinning the SFRA (December 2022) is believed to be flawed and that there is capacity for development at the settlement of East Wittering accordingly. For the SA to exclude one of the most sustainable settlements in the District is considered 'unjustified' particularly when based on this flawed data.

Currently, the housing figure for the Manhood Peninsula is 963 dwellings and relies on existing commitments and windfalls only (apart from 50 dwellings at North Mundham). When annualised this provides only 53 additional dwellings per annum over the plan period which is not sufficient to meet the housing needs of this area. The reason for allocating North Mundham over more sustainable settlements in the Peninsular appears to be the incorrect assumptions on flood risk noted above.

Therefore, in terms of future growth it is considered for the reasons set out under Policy S1 that growth should be included within the Manhood Peninsular, at the previous level of 600 dwellings. Accordingly, this means that the broad spatial distribution of housing within the Manhood Peninsular should be at least 1,563 dwellings and not 963 dwellings as indicated.

We argue that to prepare a 'justified', 'effective' and 'consistent' Local Plan, the District needs to increase the housing provision within the Manhood Peninsular (in particular at the Settlement Hub of East Wittering) and provide for new allocations in addition to existing commitments.

**Change suggested by respondent:**

The overall housing provision for the Plan Period should be the full OAHN of 763 dwellings per annum. This should include provision for 600 dwellings within the Manhood Peninsular as set out in the Preferred Option version of the Plan.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** P2020 Regulation 19 Reps Land West of Church Road FINAL 231603.pdf - <https://chichester.oc2.uk/a/s7h>  
P2020 Appendix B Appeal Southern Portion.pdf - <https://chichester.oc2.uk/a/s7x>  
P2020 Appendix C Flood Risk Correspondence\_redacted - <https://chichester.oc2.uk/a/t9j>

**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Seaward Strategic Land Ltd and Owners of Land on Durban Road, Wisborough Green [8033]**Agent:** Luken Beck MDP Ltd (Mr Ian Johnson) [111]**Summary:**

The District's local housing need and the development strategy is 'unsound'. The policy requirement to deliver 10,359 dwellings / 575 dwellings per annum, (dpa) over the Plan period (2021-2039), is derived from a suppressed objectively assessed need of 11,497 / 638 dpa. Whereas this is referred to in paragraph 5.2 of the supporting text as a result of constrained highway capacity on the A27 there is provision within draft Policy I1 of the Proposed Submission Draft Local Plan and the associated Infrastructure Delivery Plan (IDP) to ensure the infrastructure and funding are available to support the delivery of housing.

The supporting text states the Council have made no provision to accommodate the unmet needs of the adjoining and other Local Authorities such as Arun District Council, who persistently fail to meet their housing delivery targets. The policy is therefore not considered to be positively prepared or consistent with national policy.

Paragraph 61 of the NPPF requires strategic policies to identify a minimum number of homes, through undertaking a standard method of assessment, unless there are exceptional circumstances to justify an alternative approach which also reflects current and future demographic trends and market signals.

The Council have not sufficiently evidenced the lack of capacity within the A27, the potential to alleviate pressure on the A27 through relocating some of the East-West Corridor growth proposals (i.e. to the North of the Plan Area) in order to fully justify a departure from the standard methodology. The proposed policy wording is therefore not considered to be positively prepared, consistent with national policy nor will it be effective in delivering the District's full local housing need in sustainable locations, such as the Settlement Hubs and Service Villages.

**Full text:**

The District's local housing need and the development strategy is 'unsound'. The policy requirement to deliver 10,359 dwellings / 575 dwellings per annum, (dpa) over the Plan period (2021-2039), is derived from a suppressed objectively assessed need of 11,497 / 638 dpa. Whereas this is referred to in paragraph 5.2 of the supporting text as a result of constrained highway capacity on the A27 there is provision within draft Policy I1 of the Proposed Submission Draft Local Plan and the associated Infrastructure Delivery Plan (IDP) to ensure the infrastructure and funding are available to support the delivery of housing.

**Change suggested by respondent:**

We therefore request the Council review the approach towards meeting the full local housing needs of the District and plan for an increased supply of housing over the Plan period, in particular within the early years of the Plan.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Stagecoach South (Rob Vince) [8141]**Summary:**

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated.

The existing problems with housing affordability have developed over many decades of undersupply.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full.

The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.



Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively. The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

"To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process."

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a "sustainable or integrated" transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and "East of Chichester" (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary "The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks". This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to "predicting and providing" for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the ‘Five Villages’ area in Arun District.” We unequivocally endorse this conclusion. Realising a “game-changing” level of

bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester.

There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion

through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method...” The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protected is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide has "run out of road" no attempt has been made to examine what such a

solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this. Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

“Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

“1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs



in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to "roll forward" this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west through movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of "zero-sum" game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous "predict and provide" approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that "shared mobility" – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this "cars first" approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester "This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone." This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the

Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d’être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The authority will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The authority can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-

intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material. To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

#### 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

...”

#### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

"9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised."

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered "severe" in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

"(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and..."

At limb v) the Policy expects developers to meet the "in perpetuity costs of operating and maintaining infrastructure". This shackles development management decisions to developers assuming what are infinite costs – given that "in perpetuity", read properly, can only mean "without any limit in time". This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar of reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and

interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

#### 9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

#### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a

growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ...

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...

- 10. Make provision to accommodate and secure delivery of for regular bus services linking through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

" ...

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

" ...  
12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

" ...  
9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;  
..."

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

" ...  
5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;  
..."

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework



- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

" ...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

" ...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the and impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhamnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with

the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

This housing need shortfall is exacerbated by the fact that the Plan fails to take account of the full potential of all of the new strategic locations within the District, such as Boxgrove.

This strategic level of growth could amount to at least 200 homes, significantly greater than that proposed in Plan Policy H3, which states that, as a 'service village', 50 dwellings could 'come forward through the neighbourhood planning process'. Paragraph 3.19, Page 38, of the Regulation 19 document cites some of the reasons for this limited growth within non-strategic Parishes, such as Boxgrove, as being:

- Land Availability.
- Landscape Considerations.
- Settlement Patterns.
- Available Infrastructure.

Indeed, there is an evidence base that supports the case that Boxgrove has the potential to accommodate a strategic level of housing growth, rather than the conclusion that it has limited capacity due to constraints – or the 50 homes proposed by CDC in Plan Policy H3.

**Full text:**

This housing need shortfall is exacerbated by the fact that the Plan fails to take account of the full potential of all of the new strategic locations within the District, such as Boxgrove. Indeed, there is an evidence base that supports the case that Boxgrove has the potential to accommodate a strategic level of housing growth, rather than the conclusion that it has limited capacity due to constraints – or the 50 homes proposed by CDC in Plan Policy H3.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** March 23 Reg 19 reps Chichester District Council RHL - Final.pdf - <https://chichester.oc2.uk/a/s7p>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Seaward Strategic Land Ltd and Owners of Land on Cooks Lane, Southbourne [8034]

**Agent:** Luken Beck MDP Ltd (Mr Ian Johnson) [111]

**Summary:**

The District's local housing need and the development strategy is 'unsound'. The policy requirement to deliver 10,359 dwellings / 575 dwellings per annum, (dpa) over the Plan period (2021-2039), is derived from a suppressed objectively assessed need of 11,497 / 638 dpa. Whereas this is referred to in paragraph 5.2 of the supporting text as a result of constrained highway capacity on the A27 there is provision within draft Policy I1 of the Proposed Submission Local Plan and the associated Infrastructure Delivery Plan (IDP) to ensure the infrastructure requirements and funding mechanisms are available to support the delivery of housing.

The supporting text states the Council have made no provision to accommodate the unmet needs of the adjoining and other Local Authorities such as Arun District Council, who persistently fail to meet their housing delivery targets. The policy is therefore not considered to be positively prepared or consistent with national policy.

Paragraph 61 of the NPPF requires strategic policies to identify a minimum number of homes, through undertaking a standard method of assessment, unless there are exceptional circumstances to justify an alternative approach which also reflects current and future demographic trends and market signals.

The Council have not sufficiently evidenced the lack of capacity within the A27 or fully justified a departure from the standard methodology in any other regard. The proposed policy wording is therefore not considered to be positively prepared, consistent with national policy nor will it be effective in delivering the District's full local housing need in sustainable locations, such as the Settlement Hubs and Service Villages.

**Full text:**

The District's local housing need and the development strategy is 'unsound'. The policy requirement to deliver 10,359 dwellings / 575 dwellings per annum, (dpa) over the Plan period (2021-2039), is derived from a suppressed objectively assessed need of 11,497 / 638 dpa. Whereas this is referred to in paragraph 5.2 of the supporting text as a result of constrained highway capacity on the A27 there is provision within draft Policy I1 of the Proposed Submission Local Plan and the associated Infrastructure Delivery Plan (IDP) to ensure the infrastructure requirements and funding mechanisms are available to support the delivery of housing.

**Change suggested by respondent:**

We therefore request the Council review the approach towards meeting the full local housing needs of the District and plan for an increased supply of housing over the Plan period, in particular within the early years of the Plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

The housing requirement (10,350) for the plan period 2021-2039 must reflect Objectively Assessed Need to avoid the risk of failing to be seen as positively prepared. The evidence base on which the justification for a reduction in housing delivery is flawed and not credible. The plan fails the tests of soundness to this regard and Policy H1 should be amended in line with a reassessment of highway constraints

**Full text:**

**REPRESENTATION SUMMARY**

CDC fails on a number of counts to provide a sound reason for constraining development delivery to 535 dwellings per annum. We find that the Council's failure to adhere to the OAN on the basis of ineffective evidence results in plan that has not been positively prepared and adopts a strategy that is not justified. We believe the plan is capable promoting a greater level of housing delivery which will, in turn, help bring the estimated infrastructure contribution per dwelling to a more deliverable and realistic level.

This representation provides continued support and draft policy context for the development on land east of Southbourne. We consider it to provide a suitable and sustainable location for large-scale strategic residential growth and substantial associated infrastructure improvements.

The area was due for allocation within the Southbourne Neighbourhood Plan, having been initially allocated 1,250 dwellings on 'land east of Southbourne', prior to its removal post Examination (based on concerns of the Examiner over a pre-emption of the emerging local plan). Importantly, the Examiner did not conclude that the proposed allocation was unsustainable for growth or inappropriate in size, but simply that the timing of the Neighbourhood Plan was too early against the emerging Local Plan timetable which had unfortunately been delayed.

We continue to recommend that the land east of Southbourne (Policy A13 in the emerging LP) provides the most appropriate location for development at Southbourne. Indeed, the land to the east of the settlement was chosen as the most appropriate location, as opposed to the land to the west which is more constrained by the A27 and would likely result in amalgamation with the settlement of Emsworth.

We consider that the increase in the quantum of development at Southbourne from 1,050 to c1,250 not only ensures the highest level of community enhancements and infrastructure improvements for Southbourne and the wider area but also helps mitigate certain aspects of the emerging plan that risk being found unsound, including the potential for delays in housing delivery across the largest strategic sites and the potential for Chichester District to accommodate unmet need across neighbouring authorities (and within SDNP).

Considering the above, and in terms of specific policy amendments, we recommend the following policies be reworded to ensure the plan's overall soundness:

**Policy H1 – Meeting Housing Needs –** The housing requirement (10,350) for the plan period 2021-2039 must reflect Objectively Assessed Need to avoid the risk of failing to be seen as positively prepared. The evidence base on which the justification for a reduction in housing delivery is flawed and not credible. The plan fails the tests of soundness to this regard and Policy H1 should be amended in line with a reassessment of highway constraints.

**Policy H2 – Strategic Locations/Allocations 2021-2039 –** The quantum of development at Southbourne (A13) should be 1,250 to reflect the conclusions of the sustainability appraisal, the capacity within the land east of Southbourne and the importance in bringing forward all infrastructure improvements to the village and wider area.

**Policy A13 – Southbourne Broad Location for Development -** In line with the above, the total number of dwellings allocated to Southbourne should be 1,250. Further, it is recommended that a specific location is selected within Southbourne, to align with all other allocations within Chapter 10 and to avoid a significant risk to the delivery of housing. No rationale is presented as to why development in Southbourne should be delayed until the adoption of a subsequent DPD or Neighbourhood Plan. The long-term assessment and findings of the Neighbourhood Plan group and the plan examiner remain sound and should be respected and reflected in a specific and precise housing allocation for the village. We recommend this policy is rewritten to allocate 1,250 dwellings on land east of Southbourne and to align with the comprehensive masterplanning exercise that has been completed to-date. These representations bring to light a number of recommended reconsiderations with regards to the emerging local plan, these include a reassessment of the quantum of development in Southbourne, the mechanism for infrastructure funding and delivery, the contingency planning around wastewater treatment capacity and the supporting of Vision & Validate as an approach for encouraging safe, efficient and sustainable transport.

For the reasons outlined throughout, these representations also raise significant concerns that the plan as drafted, in particular the housing delivery strategy, risks being found 'unsound' on the grounds of failing to be positively prepared and lacking a fully considered highways evidence base. We believe the changes outlined above with regards to reflecting OAN and adding realistic capacity and specificity to the proposed allocation in Southbourne will help address these concerns.

**Change suggested by respondent:**

Policy H1 should be amended in line with a reassessment of highway constraints

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** 27783 A5 Regulation 19 Reps Final w Appendices.pdf - <https://chichester.oc2.uk/a/s93>

**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]**Summary:**

CDC has reduced housing number to 535 dpa in the south and 40dpa in the north of the District, a shortfall of 1,134 dwellings from the OAN (10%). Do not believe reducing the OAN by this much is necessary or justified, believe more could be allocated to north of Plan area still, in order to accommodate the full OAN.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** DG Phillips (Bosham) Ltd and Phillips Build Ltd [1743]**Agent:** Genesis Town Planning Ltd (Kris Mitra, Managing Director) [6993]**Summary:**

According to the standard method the minimum housing need is 11,484 dwellings (638 x 18). When the growth of the student population (28dpa) is factored in the minimum housing need increases to 11,988 homes, and when the full affordable housing needs (433 dpa) are taken into account the overall need increases to at least 19,485 dwellings. Finally, there is a need for excess of 10,000 more homes to address the unmet needs of the sub-region.

The approach of the Reg 19 Plan to impose limits on the amount of development over the Plan period because of existing infrastructure capacity issues is inconsistent with the objectives of national policy and could undermine the prospects of securing the funding necessary to improve infrastructure capacity. The approach of the emerging plan is therefore negative worded as it has the effect of constraining the level of housing below the minimum level needed and does not accord with the PPG or the objectives of national policy. A better, and more positive approach would be to plan for the necessary infrastructure, which in turn will maximise the prospects of securing the required infrastructure instead of deferring it.

**Full text:****1 INTRODUCTION**

1.1 These representations are to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) Consultation (hereafter referred to as the "Reg 19 Plan"). These representations have been prepared by Genesis Town Planning, on behalf of D G Phillips (Bosham) Ltd and Phillips Build Ltd as owners of the site comprising approximately 9ha of agricultural land north of Brandy Hole Lane and to the west of Plainwood Close, Chichester.

1.2 The representations also include at Appendix 1 a plan indicating the proposed amendment to the settlement boundary and the inclusion of the site as a suitable housing allocation for up to 300 dwellings. Such an allocation is proposed to address the Council's failure to adequately deliver sufficient housing through the Reg 19 Plan. The site is suitable, available and deliverable and complies with the sustainability objectives set out in the Reg 19 Plan and national policy and ensures that sites, adjacent to the primary settlement of Chichester, are appropriately considered as suitable sites to accommodate further housing.

1.3 These representations, in addition to seeking the inclusion of the site as a housing allocation and an amendment to the settlement policy boundary, also seeks to remove the proposed inclusion of the site within a strategic wildlife corridor. The inclusion of the land in such a corridor has no bearing on the characteristics of the site, its agricultural form, the fact that it is separated from the wildlife corridor to the south by Brandy Hole Lane and extensive housing development. This is an illogically thought through designation, which has paid no regard to the site character or its location and has been deliberately imposed to prevent housing development coming forward on the site. There is no wildlife, ecological or environmental features on the site, with the exception of boundary trees and vegetation, that would justify such a designation washing over the site and neighbouring land, which includes a former landfill site and a solar farm.

1.4 Accompanying these representations are the appropriate representation forms in respect of Settlement Map SB1, Map NE4b, Policy S1 and paragraph 3.7, policy H1, and Policy NE4. These forms are to be read in conjunction with this submission.

**2 LEGAL COMPLIANCE**

2.1 One of the requirements for the preparation of a Local Plan as set in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, (as amended) is the publication of a Sustainability Appraisal (SA) that shows how the SA has been carried out, the information that is used as part of the process and what the outcomes were. The SA is a tool for assessing how the plan, when judged against other reasonable options will help achieve environmental, economic and social objectives.

2.2 The SA suggests that there is little or no argument for setting a housing requirement above the minimum local housing need of the 638 dwellings per annum (dpa) as set by the standard method (763dpa minus 125dpa for South Downs National Park area). This approach is contrary to paragraph 11a) of the National Planning Policy Framework (NPPF) in that it requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of their area.

2.3 It is noted that paragraph 11b) confirms that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas unless this is demonstrated to be unsustainable. The background evidence base for the Reg 19 Plan does not clearly demonstrate the reasons for restricting the overall scale, type and distribution of development in the plan area or that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

2.4 It is noted that the standard method requirement of 638dpa for the plan area is arrived at by removing 125dpa for the part of the district that falls within the South Downs National Park. The lack of any meaningful assessment for providing sufficient housing to meet the standard method figure is a significant error. Without such an assessment, the SA disregards the possibility of providing for sustainable development at the outset and does not therefore accord with the regulatory requirements referred to above.

2.5 Table 5.3 of the SA identifies a range of development scenarios with dwelling requirements for the plan area ranging from 567dpa to 606dpa. These figures result in a shortfall of between 32dpa and 71dpa when compared to the standard method requirement of 638 dpa. As neither of these figures is significantly above the standard method figure, it is not unreasonable to expect the SA to also test a housing requirement/scenario of 638dpa, so that it reflects the confirmed minimum housing need of the plan area. This would be a reasonable alternative and should be tested. Only when this has been carried will it be possible to fully understand the likely implications of meeting housing needs in full. In doing this, the Plan will then comply with the Legal and Procedural Requirements.

### 3 SOUNDNESS

3.1 As set in paragraph 35 of the NPPF when local plans and spatial development strategies are examined they should be prepared in accordance with legal and procedural requirements to ensure that they are sound. It goes on to state that:

“Plans are sound if they are:

- a) Positively prepared – providing a strategy which, as minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.”

3.2 As set out above, the Reg 19 Plan does not provide a strategy that seeks to meet the area’s objectively assessed housing need, and the SA does not test all the reasonable alternatives. On this basis the plan has not been positively prepared and is not justified. As a result it is contrary to paragraphs 35a) and 35b) of the NPPF.

3.3 In addition to this, there is no clear evidence of effective and on-going working with neighbouring authorities as part of the statutory duty to cooperate. The SoCG should be made publicly available throughout the plan making process to provide transparency. Based on paragraph 1.25 of the Reg 19 Plan this requirement has not been carried out. This confirms that a SoCG is currently being prepared and will be made available for review on the council’s website. As a result, the SoCG should have been made available on the LPA’s website at the time the Reg 19 Plan was published for consultation. This does not appear to have been the case, which means that this part of the plan making process does not meet the requirements set out in paragraphs 27 and 35c) of the NPPF. As such the effectiveness test has not been complied with in full. The lack of a fully detailed SoCG on the Duty to Cooperate is particularly important in Chichester District as there is a substantial unmet need for housing arising in neighbouring authorities and other nearby authorities across the same sub-region. As yet the evidence base of the Reg19 Plan does not explain or demonstrate how the unmet housing need will be met.

3.4 This is an important omission as it does not accord with the procedural requirements. Until the outcome of this process is known and fully understood it is difficult to know if or how the strategy in the Reg 19 Plan is appropriate or needs modification.

### 4 COMMENTS ON THE REG 19 DRAFT PLAN

#### Policy H1 – Meeting Housing Needs

4.1 No exceptional circumstances exist in Chichester District to justify an alternative approach that deviates from the standard method figure of 763dpa. Taking account of the South Downs National Park requirement of 125dpa results in a minimum need of 638dpa for Chichester District.

4.2 Furthermore, the housing needs of particular groups are not reflected in the current standard method requirement of 638dpa. These include the following groups:

- Students – which creates a need for an additional 29dpa;
- people who require affordable housing- which generates a need of 433 affordabled pa (based on this figure and the thresholds set out in draft Policy H4: Affordable Housing it would be necessary to deliver 1,083 homes per annum to meet affordable housing need in full); and
- the unmet housing needs of neighbouring authorities and/or authorities in the same subregion, which at best are between 10,141 and 10,620 homes.

4.3 When the needs of students are added to the standard method figure the minimum need dwelling requirement would be 666dpa or 11,988 dwellings over the 18-year plan period 20212039.

4.4 When the full affordable need of 1,083 dpa is factored in this results in a need for at least 19,494 dwellings over the plan period.

4.5 In addition to the above figures, there is also an unmet need for over 10,000 homes in related authorities over the plan period.

4.6 Based on the above there is clearly a need for significantly more homes than is suggested by the minimum standard method figure.

#### Infrastructure Capacity

4.7 Whilst it is noted that there are long-standing highway capacity issues on the A27 Chichester Bypass and more intermittent capacity problems with Wastewater Treatment facilities in the southern part of the district, these could be resolved if the emerging Reg 19 Plan made provisions to improve their capacity through proper long-term planning.

4.8 This approach is supported by paragraph 22 of the NPPF which confirms that plan-making should respond to long-term infrastructure requirements; and by paragraph 059 Ref ID 61-059 of the Planning Practice Guidance (PPG) which requires local planning authorities and policies that set out infrastructure deficiencies and how these will be addressed.

4.9 Existing capacity problems on the A27 are referred to throughout the Reg 19 Plan and its evidence base. Paragraph 5.2.11 of the SA refers to the southern plan area (i.e. the east-west corridor and Manhood Peninsula) as being highly constrained by capacity on the A27 and to detailed discussions with National Highways and West Sussex County Council (WSCC) over the course of 2019-2022 that led to a resolution that there is capacity for no more than 535dpa in this area. The background evidence does not, however, make it clear as to how the 535dpa figure was arrived at or the implications/infrastructure improvements that would be required to accommodate a higher dwelling provision in this part of the plan area.

4.10 It is important to note the “Chichester Transport Study - Local Plan Review Transport Assessment” (January 2023) prepared by Stantec is mainly focused on testing a single Local Plan spatial scenario for the period to 2039. Section 5.6 confirms that in addition to testing the 535 dpa in the south of the plan area that a sensitivity test for the delivery of 700 dpa in this part of the plan area was also carried out. Paragraph 5.6.1 confirms that higher levels of Local Plan development would enable higher levels of developer contributions to be raised towards funding the required Local Plan mitigation; and paragraph 5.6.3 comments that generally the proposed Strategic Road Network (SRN) mitigation can accommodate, in the most part, additional increase in development to 700dpa. This is reiterated in paragraph 5.6.5 where it concludes “that in the main, the 70dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700dpa demands, with additional mitigation being required”.

4.11 Paragraph 8.5 of the Reg 19 Plan comments that in 2021 National Highways confirmed that the A27 Chichester By-Pass major improvement scheme is included in the Road Investment Strategy Pipeline for the period 2025-30 (RIS3), but at this stage funding is not guaranteed. This situation is not uncommon as are many infrastructure projects which are considered necessary to support the emerging Local Plan. This is demonstrated by Table 3 of the Infrastructure Delivery Plan (January 2023). The fact that the funding has not yet been secured towards certain types of infrastructure, such as healthcare, should not be used as a reason to constrain the level of housing proposed in the emerging Local Plan. This approach also applies to transport infrastructure.

4.12 The approach of the Reg 19 Plan to impose limits on the amount of development over the Plan period because of existing infrastructure capacity issues is inconsistent with the objectives of national policy and could undermine the prospects of securing the funding necessary to improve infrastructure capacity. The approach of the emerging plan is therefore negative worded as it has the effect of constraining the level of housing below the minimum level needed and does not accord with the PPG or the objectives of national policy. A better, and more positive approach would be to plan for the necessary infrastructure, which in turn will maximise the prospects of securing the required infrastructure instead of deferring it.

4.13 The emerging Local Plan advocates a “monitor and manage” approach such that the funding for the necessary improvements to the A27 will be monitored, which itself will jeopardise that funding, and if the funding is secured then presumably the corresponding level of housing will be released to address some of the housing need. Instead of this approach, the emerging plan should pursue a “plan, monitor and manage” approach to meeting housing needs in full by committing to the delivery of the infrastructure improvements and if necessary, phasing the housing requirements towards the end of the plan period.

#### The Proposed Housing Requirement

4.14 These submissions confirm that the housing needs of the plan area will not be met by the proposed 10,350 dwelling requirement set out in Policy H1 of the Reg 19 Plan.

4.15 According to the standard method the minimum housing need is 11,484 dwellings (638 x 18). When the growth of the student population (28dpa) is factored in the minimum housing need increases to 11,988 homes, and when the full affordable housing needs (433 dpa) are taken into account the overall need increases to at least 19,485 dwellings. Finally, there is a need for excess of 10,000 more homes to address the unmet needs of the sub-region.

#### Suggested Modification

4.16 Based on the above it is clear that the Policy H1 requirement needs to be reconsidered and increased. This can be achieved if the Local Plan seeks to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of NPPF.

4.17 In setting a revised housing requirement, the District Council must take into account the needs of particular groups (i.e., students and persons in need of affordable homes) and complete the Duty to Cooperate process by preparing a SoCG in respect of the unmet needs of the sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs. In addition, the Reg 19 Plan should seek to allocate the land the subject of these representations for up to 300 dwellings to make up the shortfall identified.

#### Policy S1 - Spatial Development Strategy

4.18 Chapter 3 and Policy S1 of the Reg 19 Plan sets out the spatial strategy of the emerging plan.

These seek to disperse development across the plan area by:

1. Focusing the majority of planned sustainable growth at Chichester city and within the eastwest corridor;
2. Reinforcing the role of the Manhood Peninsula as home to existing communities, tourism and agricultural enterprise; and
3. Where opportunities arise, supporting the villages and rural communities in the North of the Plan Area.

4.19 An increased dwelling requirement (as suggested in the context of Policy H1 above) could be accommodated without the need to significantly alter the proposed spatial strategy of the Reg 19 Plan.

4.20 In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City to include the site subject of these representations.

4.21 In this respect the inclusion of additional land would make a significant contribution towards the delivery of the required housing need for Chichester, providing a flexible approach to housing delivery in a sustainable, planned and progressive way.

#### Suggested Modification

4.22 The inclusion of land to the north of Brandy Hole Lane and west of Plainwood Close, as set out in Appendix 1 to these submissions, should be secured through an amendment to the settlement boundary on Plan SB1. Further, the site should be allocated as a suitable housing site for up to 300 dwelling units to meet the required housing need for the district.

4.23 In support of this approach the Council undertook an assessment of the site's suitability for development as part of the HELAA process in 2021. A copy of the HELAA Assessment and associated plan is contained at Appendices 2 and 3. This confirms that the site is in agricultural/ pasture use and is suitable for development subject to consideration of matters such as access, landscape and trees. The assessment goes on to confirm that there are no known constraints that would make the development unachievable in principle.

#### Policy NE4

4.24 Despite the above assessment, the subject site has been included within proposed Policy NE4 of the Reg 19 Plan as a Wildlife Corridor to function in conjunction with the designation of the land to the west of the strategic allocation which lies to the south of Brandy Hole Lane and the B2178. The site the subject of these representations is fundamentally distinct in character from the wooded areas to the south of the B2178 and to the west of the strategic allocation. These comprise compartmentalised fields and clusters of woodland which frame the field boundaries. In contrast, the subject site comprises agricultural land with a modest treed boundary and is largely open in character, but visually contained. The remainder of the proposed Wildlife Corridor in this location comprises open agricultural fields with limited landscape boundaries, the former landfill site at Hunters Race and the solar farm to the north. None of these areas possess the qualities of the land further to the south to justify being designated a Wildlife Corridor. Such a designation has been imposed merely as a tool to prevent further development of what would otherwise be deemed suitable land for housing.

#### Suggested Modification

4.25 The proposed Wildlife Corridor to the north of Brandy Hole Lane should be deleted from the Reg 19 Plan and removed from the settlement map NE4b. Furthermore, Policy NE4 requires any development within the designated Wildlife Corridor to be subject to a sequential test which places a significantly higher bar than that set out within the NPPF. The does not comprise a designated landscape, and proposed Policy NE4 fails to identify any special qualities that apply to the designated area in this location.



**Change suggested by respondent:**

Housing requirement needs to be reconsidered and increased. Plan should seek to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of NPPF.

In setting a revised housing requirement, the District Council must take into account the needs of particular groups and complete the Duty to Cooperate process by preparing a SoCG in respect of the unmet needs of the sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Reg 19 Final Representations Doc v2 170323 - <https://chichester.oc2.uk/a/sm7>

**Support**

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

**Summary:**

CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

**Full text:**

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

**Chapter 2: Vision & Strategic Objectives**

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

**Chapter 3: Spatial Strategy and Settlement Hierarchy**

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

**Policy S1 Spatial Development Strategy**

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

**Policy S2 Settlement Hierarchy**

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving,

South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

#### Chapter 4: Climate Change and the Natural Environment

##### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

##### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

##### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

#### Chapter 5: Housing

##### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

##### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

##### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

##### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no

limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

#### Chapter 6: Place-making

##### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

#### Chapter 7: Employment and Economy

##### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period." Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

#### Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council's proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE's land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

##### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

#### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

##### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
 D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
 East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
 Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
 Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
 Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Dandara Southern Limited [8180]

**Agent:** Henry Adams LLP (Mrs Rebecca Tier, Senior Planner) [8116]

### Summary:

- Do not accept that A27 capacity matters present a ceiling in terms of housing delivery;
- Do not accept that the Plan and associated SA demonstrates reasonable alternatives being considered;
- Plan therefore not positively prepared nor approach to housing figures justified;
- Plan does not appear to meet the exceptional circumstances allowed for within NPPF to justify alternative approach;
- Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### Full text:

#### 1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation in relation to the land at Flat Farm, Hambrook, PO18 8FT, as shown on the attached plan HA Appendix 1: Site Location Plan, and hereon referred to as the site.

1.2 This representation will provide a written responses in relation the questions in the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

#### 2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District through an appropriate allocation within the Council's Local Plan, or through an allocation of numbers to the Hambrook Parish as set out in policy A12 of the Draft Local Plan, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that we do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the plan does rely on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst my comments are noted above that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Development in Chidham, Hambrook & Nutbourne

3.1 Our client's site is located within the village of Nutbourne and comprises an area of land of 1.3 hectares adjacent to the existing residential development along Broad Road. The site is currently located outside, but directly to the east of the settlement boundary of Nutbourne.

3.2 The Local Plan provides for a moderate level of growth within the parishes of Fishbourne, Chidham & Hambrook and Bosham, known as service villages, where it is acknowledged that there is good / excellent potential to bring forward development with opportunities to support and expand existing facilities and for increased use of public transport options.

3.3 Policy A12 relates to the strategic Chidham and Hambrook allocation and confirms that land will be allocated for development in the revised Chidham and Hambrook Neighbourhood Plan for a minimum of 300 dwellings and supporting facilities and infrastructure.

3.4 The Parish of Nutbourne and Hambrook is a logical position for the strategic expansion of 300 dwellings, given its sustainable transportation links and lack of constraints in comparison to other locations within the southern area of the District. The evidence documents which have informed the Plan also support the quantum of development put forward in the policy allocation.

3.5 As our client's land could deliver up to 40 dwellings, it would be an appropriately sized site, adjacent to the existing settlement boundary of Nutbourne, which would not compromise the spatial development of Nutbourne or Hambrook to the north. We will therefore be looking to promote our client's site with Chidham & Hambrook Parish Council through a Neighbourhood Plan allocation, and will be recommending to the Parish they allocate a number of small to medium sites to meet the Local Plan policy requirement of 300 dwellings. This development strategy will ensure the integrity and current linear spatial pattern of the service villages are maintained.

3.6 Our client's land is ideally situated adjacent to existing residential development which surrounds the site to the north, south and west. This includes the recent development at Hambrook Place and the linear form of dwellings along Broad Road to the west, Hambrook Holiday & Caravan Park to the north and further residential development accessed from Broad Road to the south. The site would not extend further to the east than the built form of development located to the north and south and would not therefore encroach on the wider field pattern to the east. The impact on the wider rural landscape to the east would therefore be limited and the views looking towards the South Downs from the A259 would not be harmed.

3.7 The site sits outside and to the south of the Green Corridor shown in the Interim Version of the Chidham & Hambrook Neighbourhood Plan Strategy published October 2021. The development of this site would not therefore impact on the integrity of the Green Corridor or the gap between the settlement boundaries of Hambrook and Nutbourne as shown in the Neighbourhood Plan Strategy.

#### The Current Appeal

3.8 In addition to the promotion of the site for allocation within the next iteration of the Neighbourhood Plan, the Council will be aware that this site is also currently subject to a pending appeal relating to planning application 20/03378/OUT. This application seeks outline planning permission for thirty dwellings with access, associated works, including the provision of swales.

3.9 The pending planning appeal follows a previous outline application, 20/00412/OUT for an entry level housing scheme of thirty-five affordable dwellings which was dismissed at appeal on 14 January 2022. The main reason for dismissing this appeal was the proposed development was considered to give rise to adverse effects on the integrity of the local Habitats sites. Whilst the Inspector considered adequate mitigation measures in respect of nutrient neutrality had been provided by the Appellant, an appropriate mechanism for securing these measures for the duration of the development had not been provided with any adequate degree of certainty. It should be noted that no other concerns were raised by the Inspector in relation to the suitability of this site for the development.

3.10 The Council have raised two concerns in relation to the current pending appeal for thirty dwellings on the site. The Council raise concern with future occupiers of the discounted market housing (DMS) not being able to obtain mortgages due to properties proximity to electricity pylons which would lead to properties being occupied on a social rented basis. In this scenario, the Council consider in combination with the adjacent social rented scheme, this would result in an unacceptably high concentration of mono tenure properties.

3.11 The Chidham & Hambrook Neighbourhood Plan Strategy also notes the presence of pylons and overhead power lines along the northern edge of Nutbourne and the limitations this might cause to development in relation to the guidance published by National Grid (Design Guidelines for Development near Pylons and High Voltage Overhead Power Lines).

3.12 Taking into account the Inspector's comments on this point in relation to the previous appeal for 35 no. affordable residential dwellings, it should be noted that the Inspector previously considered that the Appellant's evidence demonstrated that there were lenders willing to offer mortgages for DMS properties.

3.13 It should also be noted that as this forms an outline planning application with all matters reserved except for access, the layout of affordable

housing is not a matter to be considered under this outline appeal scheme. Nine affordable units would also not lead to an intensive cluster of affordable housing as they have frontages onto different roads.

3.14 The second issue raised by the Council in relation to the appeal could be overcome through the provision of a s106 agreement to provide an appropriate mechanism to secure the mitigation measures relating to nutrient neutrality.

3.15 As the Council have raised no concerns in relation to the principle of residential development on the site with regard to the current planning appeal, the use of the site for residential development is generally considered to be acceptable. This could be delivered through a successful outcome on the current appeal, through a future allocation within the Neighbourhood Plan or via an SPD prepared by the Council.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Hambrook Representation - <https://chichester.oc2.uk/a/snk>  
Representation Form - H1 - <https://chichester.oc2.uk/a/snz>  
Representation Form - S1 - <https://chichester.oc2.uk/a/snm>  
Representation Form H3 - <https://chichester.oc2.uk/a/snn>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Chichester and District Cycle Forum (Mr Ian Sumnall, Retired) [5361]

**Summary:**

This policy does not pass the test of soundness as it does not PHASE the release of the uncommitted housing sites. Despite 62% of the overall allocation already being built or committed, equating to 10 years land supply, the remaining 3300 are not constrained. As a consequence such sites could be granted Permission without the necessary infrastructure being in place.

**Full text:**

This policy does not pass the test of soundness as it does not PHASE the release of the uncommitted housing sites. Despite 62% of the overall allocation already being built or committed, equating to 10 years land supply, the remaining 3300 are not constrained. As a consequence such sites could be granted Permission without the necessary infrastructure being in place.

**Change suggested by respondent:**

The sites which are uncommitted should only be released conditional on infrastructure being in place commensurate with development.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Amended Policy A11 Bosham v2.docx - <https://chichester.oc2.uk/a/ssn>

## Support

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

A revised housing strategy responsive to constraints is supported. Recently development was promoted in inappropriate locations, without a true acknowledgement of the impacts of the development. The Estate will continue to oppose developments (including proposals north of Madgwick Lane) that harm the estate's ability to contribute strongly to the local economy, and to ensure the reasonable living conditions of prospective house occupiers are not harmed.

**Full text:**

A revised housing strategy responsive to constraints is supported. Recently development was promoted in inappropriate locations, without a true acknowledgement of the impacts of the development. The Estate will continue to oppose developments (including proposals north of Madgwick Lane) that harm the estate's ability to contribute strongly to the local economy, and to ensure the reasonable living conditions of prospective house occupiers are not harmed.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Tanglewood Residences Limited [7976]

**Agent:** Andrew Black Consulting (Mr Andrew Black, MD) [7597]

**Summary:**

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Regulation 19 - Andrew Black Consulting - obo Tanglewood Residences - March 2023 - Final redacted - <https://chichester.oc2.uk/a/sxb>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Landlink Estates Ltd [1764]

**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]

**Summary:**

Policy has not included housing allocations to deal with climate adaptation and managed coastal retreat. Council must identify an area of coastal change management to properly plan for climate adaptation and identify a quantum of development required to meet the managed coastal retreat. As housing will be permanently lost to coastal retreat this must be replaced. Local Plan must identify broad spatial and land use requirements for this important component of housing supply. Interaction of supply of replacement housing as a result of climate adaptation and more traditional housing need as well as timeframe for replacement housing, should be considered as part of supply side calculations.

**Full text:**

See attachments.

**Change suggested by respondent:**

The housing requirement for replacement housing lost to coastal retreat must be calculated and added to overall housing requirement for the plan period.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sjr>  
 1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>  
 3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>  
 Email Trail - <https://chichester.oc2.uk/a/sj3>  
 2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>  
 4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>  
 5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>  
 6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>  
 6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>  
 8. Archaeological DBA - <https://chichester.oc2.uk/a/sj9>  
 12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>  
 13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>  
 13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>  
 13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>  
 14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>  
 7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>  
 11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>  
 9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>  
 10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>  
 Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>  
 Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>



## Support

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Support Policy H1 although concerns over 10,350 meeting local housing needs/doesn't allow for supply buffer. Sympathetic to constraints/capacity of A27 - evident Council undertaken exhaustive search for suitable sites. Agree with SA concerns over development being subject to tilted balance. Understand permanent solution some way-off for A27. Commend Council for seeking to plan positively. Understand rationale behind spatial strategy. Encourage higher density and regard housing numbers on allocations as minimum. Where affordability currently worsening, lack certainty housing need for area will be achieved - recognised shortfall of housing projected despite assurance may be resolved via LSS3. Additional infrastructure required to ensure timely delivery of allocated sites. Reserve position in absence of published trajectory.

**Full text:**

See attachment.

**Change suggested by respondent:**

Pleased to see draft Policy H1 express provision as 'at least', albeit this should carry through into the title of the right-hand column.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Jennifer Asser [6438]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

Object on grounds that: dwelling requirement for district set out in Policy H1 does not reflect current Standard Method requirement; housing needs of particular groups not reflected in current standard method requirement including students, people who require affordable housing, and unmet housing needs of neighbouring authorities and/or authorities in same sub-region; long-standing highway capacity issues and capacity problems with Wastewater Treatment facilities could be resolved if emerging Local Plan made provisions to improve their capacity through proper long-term planning; imposing limits on development because of existing infrastructure capacity issues is inconsistent with objectives of national policy, could undermine prospects of securing funding necessary to improve infrastructure capacity; approach of emerging plan has effect of constraining the level of housing below minimum level needed and does not accord with the PPG or the objectives of national policy.

**Full text:**

See representations

**Change suggested by respondent:**

Policy H1 requirement needs to be reconsidered and increased, can be achieved if Local Plan addresses infrastructure requirements including capacity constraints on A27 as required by paragraph 22 of NPPF.

In setting revised housing requirement, District Council must take into account needs of particular groups (i.e. students and persons in need of affordable homes) and complete Duty to Cooperate process by preparing Statement of Common Ground in respect of unmet needs of sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Policy H1 - <https://chichester.oc2.uk/a/sk8>

Policy H2 - <https://chichester.oc2.uk/a/sk9>

Policy H3 - <https://chichester.oc2.uk/a/skv>

Policy T1 - <https://chichester.oc2.uk/a/skb>

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Landowner at Champions Farm, Wisborough Green [8136]

**Agent:** Southern Planning Practice (Alice Drew, Principal Planning Consultant) [8135]

**Summary:**

Whilst we are supportive that the Local Plan is proposing to deliver more homes than the identified housing requirement, we understand that the housing requirement does not meet the housing need derived from the standard method.

Whilst it is appreciated that there are constraints to development within the north of the plan area, mainly relating to the countryside and landscape designations, the Council should ensure that an appropriate level of growth is being allocated to enable existing settlements and their services and facilities to be sustained and thrive.

**Full text:**

Summary

Southern Planning Practice Ltd are instructed by the landowner to submit representations to the Proposed Submission version of the Chichester Local Plan 2021- 2039, published in February 2023. Shorewood Homes, a local developer, have an interest in land at Champions Farm, Wisborough Green and are currently working collaboratively with the landowner.

The site is located to the south of Newpound Lane and to the north of Billingshurst Road (A272) in Wisborough Green. The site is located within the northern area of the district and is closely related to the main urban area of Billingshurst, which is located in the neighbouring authority Horsham District Council.

It is understood that the site has not been previously promoted through the Local Plan process. We can confirm on behalf of our client that the site is now available for development.

In order for the Proposed Submission Local Plan to meet the 'positively prepared' test of soundness as required by paragraph 35 a) of the National Planning Policy Framework (NPPF), the Local Plan Review must:

"provide (ing) a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development".

Whilst the constraints of the northern area of the district are appreciated, there are several sustainable sites, outside of the National Park and other constrained landscapes, which would assist Chichester to meet their identified housing needs. One such site is the land at Champions Farm in Wisborough Green. The western section of the site could be delivered in the short-medium term and the eastern section could be delivered in the longer term which would contribute to Chichester's future housing supply.

Any new residential development on land at Champions Farm would contribute to the achievement of the 7 strategic objectives of the Local Plan and would also help to boost the housing supply in the short-medium term.

**Change suggested by respondent:**

We believe the policy should be revised to set out that the objectively assessed housing should be a minimum figure in accordance with paragraph 11 b) of the National Planning Policy Framework and the Planning Practice Guidance.

the Local Plan should look to the sustainable settlements within the north of the plan area to accommodate further development. Land at Champions Farm would provide a sustainable development within Wisborough Green, an unconstrained area within the district, which would make a meaningful contribution to housing delivery and provide additional footfall to help support existing facilities and services.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Land at Champions Farm - Representations to CDC - <https://chichester.oc2.uk/a/sk7>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Mr AJ Renouf, Mr DA Renouf, & Mrs SJ Renouf [8137]

**Agent:** Rodway Planning Consultancy Ltd (Mr Tim Rodway, Partner) [7335]

**Summary:**

The Draft Plan does not meet the District's own LHN and there is no allowance to meet the unmet housing need of the South Downs National Park or the coastal sub-region.

There is no meaningful or reliable buffer included, and no account has been taken of the potential for the non-implementation of strategic and allocated sites, or for accommodating unmet need from adjoining constrained authorities. The Standard Method is a minimum starting point as advocated by the NPPG. We would suggest that a 10% buffer be applied to be accounted for within the Draft Plan. We contend that this is the minimum required in order to ensure the new Local Plan is delivering sufficiently over the Plan period in order to meet identified housing needs.

Currently, in terms of meeting housing needs, we must conclude that the Draft Plan is unsound.

It lacks adequate flexibility, and it misses the opportunity to meet the unmet housing needs of adjacent, more constrained Authorities.

**Full text:**

See attached.

**Conclusion**

In light of all the above we contend that Sites HOV0006 (Sherwood Nursery) and HOV0012 (Landsdowne Nursery) should be reconsidered for allocation for housing development in the Draft Plan. The Sites are positively assessed in the HELAA, and are situated adjacent to existing consented and planned allocated sites. This area is clearly suitable for new housing. The Sites are previously developed and provide an opportunity for new housing in a sustainable location, without encroaching onto greenfield land. In this context the natural next step would be to add the Sites to the draft Plan as additional site allocations for residential development.

We put these two sites forward with the intention to provide high quality housing in an area with an identified need. We have made it clear in the above representations that the Sites are eminently available, sustainably located and can provide much needed new residential units.

The District Council's proposed housing figures for the Plan period are considered to be insufficient to meet the needs of the District when the significant unmet needs of adjacent and other nearby authorities are taken into account.

In this context, the broad location of Shopwhyke (east of Chichester) is acknowledged as being a sustainable location in the context of Chichester District, and we consider that it should be aiming to provide an increased housing figure during the Plan period.

The Sites are unconstrained by any landscape or other planning designations. The work that has been undertaken, and the conclusions of which clearly identify that the Sites are suitable for development.

We contend that Sherwood Nursery should be removed from the Strategic Wildlife Corridor designation for the reasons we have set out.

In its current form, we contend that the Draft Plan does not meet soundness tests insofar that it does not positively contribute to the achievement of sustainable development, and nor does it comply with the strategic policies of the area, by failing to provide a sufficient quantum of housing.

**Change suggested by respondent:**

We would suggest that a 10% buffer be applied to be accounted for within the Draft Plan.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Millwood Designer Homes [7063]

**Agent:** Savills (Laura Eacott, Graduate Planner) [8144]

**Summary:**

CDC should increase the number of dwellings allocated to the Service Villages, particularly in the northern part of the plan area, in order to meet the district's housing need, to support the unmet need of the South Downs National Park and counteract the A27 infrastructure constraints. Policy H1 is unjustified, ineffective, not positively prepared and contrary to national policy.

See attachment for full objection.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/skj>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Wendy Lockwood [8162]

**Summary:**

Object to housing in north of District on grounds of environmental restraints; water neutrality and sewage issues, lack of infrastructure: public transport, schools and GP surgeries; access; congestion; poor road infrastructure.

**Full text:**

I am sending this email as a response to the Chichester District Local Plan. I found the complexities of your online consultation process extremely frustrating and instead I wish to make my comments known via email as you have made the whole process so difficult.

Whilst I understand the need for a plan I feel we deserve a better deal for the local villages in the north of the district which include Plaistow, Ifold and Kirdford. The housing numbers that you are now proposing for this area of rural villages have increased so much whilst at the same time the environmental restraints have worsened. Water neutrality and sewage issues have not been resolved and there is not the infrastructure in place to accommodate so many houses.

We have very little public transport to give us an alternative to using our cars. The villages can only be reached via narrow country lanes that struggle to cope already with the current levels of traffic. We do not have pavements for pedestrians and our village lanes are popular for cyclists, horse riders and joggers. Any increase in traffic caused by increased housing numbers would cause our roads to be unsafe for these such users. I am also concerned about the serious issues with our infrastructure. Our local surgeries are struggling to cope with the demands as it is, schools are full and along with the lack of public transport I do not feel the area can cope with the plans for these extra houses. It is not sustainable. Our infrastructure is under huge pressure in the North of the district.

Please take my comments into consideration

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

The SA asserts it would be unreasonable to test growth scenarios above LHN figure of 638dpa. However, if transport study conclusions are correct, this may not prove to be the case. As a consequence, these matters may need to be revisited through an update or addendum to the SA to ensure the SA process is found to be legally compliant, with further revisions and consultation on Policy H1 as necessary to ensure it meets the 'positively prepared' and 'justified' tests of soundness. This should be progressed prior to formal submission of Local Plan, with outcomes and actions (including any necessary revisions to the Local Plan) discussed with adjoining LPAs as part of Council's legal Duty to Cooperate on strategic matters.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/smp>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** The Pick Family [8168]

**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]

**Summary:**

The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesignated and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

**Full text:**

These representations are made on behalf of our client, the Pick Family who wish to make representations with regards to the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version.

**Background**

The Pick Family are local landowners who live and farm in Birdham. They own approximately 15 acres of farmland to the west of Birdham which is edged blue on the plan at Enclosure 1. The land has been promoted at all relevant opportunities to Chichester District Council but they wish to confirm to Chichester District Council and the Inspector that the land is available for development should they consider Birdham as an area for growth.

**Site suitability**

Our client's have split their landholding previously, as they appreciate that development of the whole would increase the size of Birdham significantly. However, our client's front parcel, edged red at Enclosure 2, is well enclosed and views into the site from the AONB are limited. There is a significant hedgerow on its western boundary, screening any potential residential development in this parcel.

This portion of the landholding is approximately 1.05 hectares in size and it is our opinion that a development of 25 units could be achieved at this site. Due to the site constraints, the developer would have to ensure that the scheme is designed sensitively, taking into consideration the Area of Outstanding Natural Beauty. However, this is not considered to constrain development overall on the site and therefore, the site should be considered sustainable in taking account of the three dimensions for sustainability set out in the NPPF.

Due to our client having a wider landholding, if the Council or the Inspector felt it necessary to allocate the site, our client would be able to offset any nitrate or biodiversity impacts from the front parcel onto his retained land. This illustrates that the site is deliverable.

**Policy S1 & H1**

Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the Transport Study (2023) concludes that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that our clients do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

It is therefore our view that the figure of 535 should be seen as an absolute minimum and other land should be considered to be allocated.

We trust our comments will be considered as part of the Local Plan review, and please do not hesitate to make contact if you require anything further

**Change suggested by respondent:**

It is therefore our view that the figure of 535 should be seen as an absolute minimum and other land should be considered to be allocated.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Supporting Representations - <https://chichester.oc2.uk/a/smk>  
Form H1 - <https://chichester.oc2.uk/a/smz>  
Form S1 - <https://chichester.oc2.uk/a/smm>

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Mr & Mrs Bell [7354]

**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]

**Summary:**

The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

It is therefore our view that the figure of 535 should be seen as an absolute minimum and other land should be considered to be allocated.

**Full text:**

These representations are made on behalf of our client, the Bell Family who wish make

representations to the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version.

**Background**

Our clients own approximately 37.8 acres of farmland to the west of Stoney Meadow which is edged red at Appendix 1. The land has been promoted at all relevant opportunities to Chichester District Council and North Mundham Parish Council but they wish to confirm to Chichester District Council and the Inspector that the land is available for development should they consider North Mundham as an area for growth.

**Site suitability**

The North Mundham Settlement Policy Boundary is being amended to now include the development at Oakdene Gardens and Stoney Meadow to the east. As mentioned, Henry Adams have promoted the land on behalf of the landowners at all opportunities and the most recent HELAA suggested that the land is developable for 225 units under ref. HNM0019 subject to further detail relating to access, drainage, landscape and archaeology.

The site is split into 3 distinct sections by tree belts, which enables phasing of the land should the whole of it not be developed. There is also defined landscape boundaries on all sides, restricting views into the site. The land has no significant natural constraints other than being in the Chichester and Pagham Harbours SPA buffer zones. To the east of the site on School Lane is a Grade II Listed Building and to the north east is an area of woodland, covered by a Tree Preservation Order (Local Planning Authority reference 70/00730/TPO).

**Policy S1 & H1**

Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the Transport Study (2023) concludes that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that our clients do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts. It is therefore our view that the figure of 535 should be seen as an absolute minimum and other land should be considered to be allocated.

**Change suggested by respondent:**

Allocate additional land.

Site submission - Land to the West of Stoney

Meadow, North Mundham. 225 dwellings.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:**

**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Metis Homes [1602]**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]**Summary:**

Object on grounds that Portfield Roundabout and Oving Junction have capacity issues in both 535 and 700 dwellings per annum scenarios; Council's own highways evidence show an additional 2,970 dwellings could be accommodated in Southern Plan Area; delivery of entirety of 2,970 dwellings should be considered in context of 1) affordable housing need identified in HEDNA and 2) meeting unmet housing needs in South Downs National Park under Duty to Cooperate; evidence used to justify lower housing requirement explicitly states higher objectively assessed needs can be met; additional development in North contradicted by Transport Study; additional numbers in North unnecessary given additional capacity in A27 and lack of facilities and amenities.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Barratt David Wilson Homes [7523]**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]**Summary:**

Consider Plan area capable of accommodating greater housing quantum. Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. Evidence base (Transport Study 2023) contradicts Council's position. Council should consider allocation of additional housing sites to meet full or higher housing provision within plan area. Land at Stubcroft Farm, East Wittering promoted.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** No**Attachments:** Written Representation - <https://chichester.oc2.uk/a/syq>**Object****Document Element:** Policy H1 Meeting Housing Needs**Respondent:** Landowner - Land At Farmfield Nurseries [8187]**Agent:** Mission Town Planning Ltd (Alex King) [8186]**Summary:**

Proposed submission Local Plan notes that A27 constraint is not beyond mitigation; Highways England seeking contributions to rectify suggests not exceptional circumstance; strategic objective stated to mitigate impacts.

Proposal to reduce housing numbers following consistent under delivery, with no mechanism for sites to be considered, fails to meet housing need.

**Full text:**

Mission Town Planning Ltd, have been engaged by a client to make representation to the emerging Chichester District Council Local Plan consultation closing on 17th March 2023.

We have been commissioned to make representations on the plan so far as it impacts sites that are of interest to my client, specifically with Hunston, and the site to the south of the village known as Land At Farmfield Nurseries, Selsey Road. The site was provisionally proposed for allocation with the Hunston Neighbourhood Plan, which was the only allocated site proposed under policy H1. This was for the provision of a minimum of 200 homes.

This in part was in response to the Chichester District Council Regulation 18 plan which was set out within proposed policy AL11, which will not specifying a site proposed an allocation within Hunston of a minimum of 200 dwellings.

**Representations**

These Representations are focused solely on matters of direct relevance to my client's land interest within Chichester District Council's authority.

We have set out these Representations by reference to the relevant chapter or subject heading in the proposed Local Plan along with reference to the specific policy and page number where appropriate.

While we note that the Council have used a web-based system, we have endeavoured to address those elements that are relevant to the site mentioned above.

The purpose of this representation is to comment solely in relation to the omission of allocation within Hunston.

As a starting point it is worth noting that the regulation 18 consultation identified a need of 12,478 dwellings over the plan period this being from 2016 to 2035. During the period from this regulation 18 consultation being undertaken, and now the regulation 19 consultation the Council have consistently been unable to demonstrate a five year housing supply, this currently standing at 4.74 years, with a requirement of 3,350 from 2022-2027.

The regulation 19 consultation has now reduced this number to 10,359 units. The reasoning for this is set out within Chapter 5 of the consultation, where is notes constraints particularly the A27 capacity as a barrier to allow for the requisite amount of growth meaning that the Council is below the requirements of the standard method.

The national planning position set out within the NPPF (National Planning Policy Framework) at paragraph 61 which states;

To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method

in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and

market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

While the provisions of the emerging NPPF are noted, this was a consultation document and is not yet/ may not be planning policy.

From the submission while the constraint of the A27 is noted this is not beyond mitigation and the fact that Highways England are, and have sought contributions to rectify this would suggest that this would not constitute an exceptional circumstance. Moreover, the plan further states that it is a strategic objective to mitigate the impacts on the A27.

In the period between the preferred approach (reg 18) and this approach (reg 19) the plan notes that, there has been moderate growth, and again notes the constraints, although these remain ambiguous. It is noted that the moderate growth was still not sufficient to deliver a 5 year housing land supply.

Within the consultation plan, it is shown within Map B1 – Areas designated as Rural and Non Rural Area's that Hunston is within the non-rural area. Given this is seems perverse to then remove and form of allocation for housing within this designation urban area.

The issue then comes that the defined settlement boundary as per the Site Allocation DPD adopted 2019, would considerably restrict any housing growth when taken in context of the emerging plan and its policy on developments outside of the settlement boundary, i.e. within the countryside.

Such an approach to proposal reducing housing numbers following consistent under delivery and to allow no mechanism to allow for sites to be considered will simply fail to the housing people and families need. The over reliance on larger and strategic sites, which have been bought forward from previous plans shows the significant issues with their historic lack of delivery and indeed whether they should be consider within the plan in the first place.

I would urge the Council to consider its approach to housing delivery and its obligations to delivery much needed family housing. Every borough and district will have to contend with constraints, however the exists a statutory duty to deliver housing.

The National Housing Federation "People in housing need 2021" report summarises that;

- 8.5 million people in England have some form of unmet housing need.
- For 4.2 million of these people (around 1.6 million households) social rented housing would be the most appropriate tenure to address that need.
- This is around half a million more families than the 1.1 million households currently recorded on official waiting lists.
- Two million children in England (1 in every 5) are living in overcrowded, unaffordable or unsuitable homes.
- 1.3 million of these children are in need of social housing, as this is the only suitable and affordable type of home for their families.
- Overcrowding is the largest problem nationally, affecting nearly 3.7 million people

**Summary**

I trust that these Representations are of assistance in considering the current drafting and submission of the Local Plan. My client would request that we continue to be engaged in the plan making process and we look forward to hearing from you with regard to the next steps.

**Change suggested by respondent:**

Re-consider approach to housing delivery and obligations to address housing need.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** NR-CDCLPREG19-Hunston-170323-MTP\_Redacted.pdf - <https://chichester.oc2.uk/a/sp4>



**Object**

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Beechcroft Developments Limited [8188]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

Object on grounds that no exception circumstances for alternative approach to housing need; there is a need for at least 666 homes per annum in plan area equating to a need for 11,988 homes over plan period; also need for at least 1,083 homes per annum if affordable housing needs are to be met equating to 19,485 homes; unmet need in excess of 10,000 homes in related authorities; capacity constraints on A27 should not limit amount of development, inconsistent with objectives of national policy.

**Full text:**

See attachments.

**Change suggested by respondent:**

Full need for housing will need to be assessed taking account of needs of particular groups; engage with prescribed bodies to investigate capacity to accommodate unmet need in excess of 10,000 homes, demonstrate through statements of common ground; meet full need unless able to demonstrate adverse effects of additional traffic flows on A27 outweigh benefits; retitle H1 to recognise will not meet need or amend to meet housing need.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp5>

Appendix 1 - Representations on Housing Requirement and Supply - <https://chichester.oc2.uk/a/sp6>

Appendix 2 - Statement of Representations - A27 Mitigation Contributions - <https://chichester.oc2.uk/a/sp7>

**Object**

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

CDC does not justify its approach to spatial distribution of housing or why it is proposing a significant decrease of 20% in southern area of District that is the most sustainable in terms of population, facilities, services and sustainable transportation. Nor does CDC provide justification for an increase of 20% in housing distributed to North of Plan Area which is the least sustainable. CDC has failed to explain Water Neutrality issues in the North and has overstated the constraints in the South by relying entirely on an argument about the A27 which has not been clearly explained.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

**Object**

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Southcott Homes Limited (Mr Andy Southcott) [8190]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

Housing figure should be higher as it does not reflect the standard method, does not allow for unmet need in other authorities, or reflect the needs of particular groups.

Unconvinced by the transport evidence supporting a lower figure.

Plan should set out how the required upgrades to infrastructure will be delivered.

**Full text:**

The dwelling requirement for the district as set out in Policy H1 of 10,350 dwellings between 2021 and 2039 equates to 575 dwellings per annum (dpa). This does not reflect the current Standard Method requirement of 763 dpa (or 683 dpa when an allowance of 125 dpa is made for the South Downs National Park area).

Furthermore, the housing needs of particular groups are not reflected in the current standard method requirement of 638 dpa. These include the following groups:

- Students – which creates a need for an additional 29 dpa;
- people who require affordable housing- which generates a need of 433 affordable dpa (based on this figure and the thresholds set out in draft Policy H4: Affordable Housing it would be necessary to deliver 1,083 homes per annum to meet affordable housing need in full); and
- the unmet housing needs of neighbouring authorities and/or authorities in the same sub-region, which at best are between 10,141 and 10,620 homes.

When the needs of students are added to the standard method figure the minimum need dwelling requirement would be 666 dpa or 11,988 dwellings over the 18-year plan period 2021-2039.

When the full affordable need of 1,083 dpa is factored in this results in a need for at least 19,494 dwellings over the plan period.

In addition to the above figures, there is also an unmet need for over 10,000 homes in related authorities over the plan period.

Based on the above there is clearly a need for significantly more homes than is suggested by the minimum standard method figure.

Whilst it is noted that there are long-standing highway capacity issues on the A27 Chichester Bypass and more intermittent capacity problems with Wastewater Treatment facilities in the southern part of the district, these could be resolved if the emerging Local Plan made provisions to improve their capacity through proper long-term planning.

This approach is supported by paragraph 22 of the NPPF which confirms that plan-making should respond to long-term infrastructure requirements; and by paragraph 059 Ref ID 61-059 of the Planning Practice Guidance (PPG) which requires local planning authorities and policies that set out infrastructure deficiencies and how these will be addressed.

Existing capacity problems on the A27 are referred to throughout the draft Local Plan and its evidence base. Paragraph 5.2.11 of the SA refers to the southern plan area (i.e. the east-west corridor and Manhood Peninsula) as being highly constrained by capacity on the A27 and to detailed discussions with National Highways and West Sussex County Council (WSCC) over the course of 2019-2022 that led to a resolution that there is capacity for no more than 535 dpa in this area. The background evidence does not, however, make it clear as to how the 535 dpa figure was arrived at or the implications/infrastructure improvements that would be required to accommodate a higher dwelling provision in this part of the plan area.

It is important to note the "Chichester Transport Study - Local Plan Review Transport Assessment" (January 2023) prepared by Stantec is mainly focused on testing a single Local Plan spatial scenario for the period to 2039. Section 5.6 confirms that in addition to testing the 535 dpa in the south of the plan area that a sensitivity test for the delivery of 700 dpa in this part of the plan area was also carried out. Paragraph 5.6.1 confirms that higher levels of Local Plan development would enable higher levels of developer contributions to be raised towards funding the required Local Plan mitigation; and paragraph 5.6.3 comments that generally the proposed Strategic Road Network (SRN) mitigation can accommodate, in the most part, additional increase in development to 700 dpa. This is reiterated in paragraph 5.6.5 where it concludes "that in the main, the 700 dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535 dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700 dpa demands, with additional mitigation being required".

Paragraph 8.5 of the Reg 19 Plan comments that in 2021 National Highways confirmed that the A27 Chichester By-Pass major improvement scheme is included in the Road Investment Strategy Pipeline for the period 2025-30 (RIS3), but at this stage funding is not guaranteed. This situation is not uncommon as are many infrastructure projects which are considered necessary to support the emerging Local Plan. This is demonstrated by Table 3 of the Infrastructure Delivery Plan (January 2023). The fact that the funding has not yet been secured towards certain types of infrastructure, such as healthcare, should not be used as a reason to constrain the level of housing proposed in the emerging Local Plan. This approach also applies to transport infrastructure.

The approach of the Reg 19 Plan to impose limits on the amount of development over the Plan period because of existing infrastructure capacity issues is inconsistent with the objectives of national policy and could undermine the prospects of securing the funding necessary to improve infrastructure capacity. The approach of the emerging plan is therefore negatively worded as it has the effect of constraining the level of housing below the minimum level needed and does not accord with the PPG or the objectives of national policy. A better, and more positive approach would be to plan for the necessary infrastructure, which in turn will maximise the prospects of securing the required infrastructure instead of deferring it.

**Change suggested by respondent:**

Based on the above it is clear that the Policy H1 requirement needs to be reconsidered and increased. This can be achieved if the Local Plan seeks to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of NPPF.

In setting a revised housing requirement, the District Council must take into account the needs of particular groups (i.e. students and persons in need of affordable homes) and complete the Duty to Cooperate process by preparing a Statement of Common Ground in respect of the unmet needs of the sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** Fishbourne Meadows Residents' Association (Lou Johns, Chairman) [8194]

**Summary:**

If the stretch of the A259 from Southbourne (which is classified as a Settlement Hub) to Fishbourne, where we already experience serious impact in congestion and noise, is going to be allocated several thousand new houses by 2030, I cannot imagine how the road will be able to start coping with that increased density of traffic. Another several thousand x 1.5 average vehicles per house will be using this already regularly gridlocked road.

**Full text:**

REPRESENTATION TO THE PLANNING POLICY TEAM RE THE LOCAL PLAN MARCH 2023

Our interests in reading the Local Plan 2023 are namely:

The INFRASTRUCTURE NEEDED TO SUSTAIN SUBSTANTIAL DEVELOPMENT

YOU SAY: To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area.

Key infrastructure to support the Local Plan will include improvements to transport, open space and green infrastructure, education, health, water supply and removal, telecommunications, flood risk and coastal change management and the provision of minerals and energy Page 33  
CAN YOU ACHIEVE THIS?

ROADS - already suffering with surface damage and from too high density of traffic

YOU SAY: A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.

Page 33 CAN YOU ACHIEVE THIS?

MANAGEMENT OF SEWAGE TREATMENT AND DISPOSAL

YOU SAY: Sewerage undertakers will need to work with regulators to deliver improvements in wastewater infrastructure to support new development and to ensure adverse environmental impacts are avoided on internationally designated habitats. Improvements to water efficiency, conservation and storage capacity will be made.

Page 33 CAN YOU ACHIEVE THIS?

THE IMPACT SUBSTANTIAL DEVELOPMENT WILL HAVE ON OUR UNIQUE AND PRECIOUS ENVIRONMENT. INCREASING LIGHT POLLUTION.

YOU SAY: 12. Protect and enhance the existing biodiversity and important ecological corridor linking Chichester Harbour and the South Downs National Park.

Any development will need to: /

- a. Provide multifunctional green infrastructure both across the site and linking development to the surrounding countryside and Chichester city;
- b. Provide mitigation for any loss of watercourse habitat resulting from culverting for highway provision in the development;
- c. Provide buffer zones to sensitive habitats such as ancient woodland; Page 223

CAN YOU ACHIEVE THIS?

We applaud the words written down on efforts regarded as essential for the conservation of the AONBs and SSSIs of the Harbour. We applaud the efforts to maintain the wonderful view of the Cathedral from various aspects of the City. But we have little faith of these foreseen problems being effectively dealt with.

If the stretch of the A259 from Southbourne (which is classified as a Settlement Hub) to Fishbourne, where we already experience serious impact in congestion and noise, is going to be allocated several thousand new houses by 2030, I cannot imagine how the road will be able to start coping with that increased density of traffic. Another several thousand x 1.5 average vehicles per house will be using this already regularly gridlocked road.

We would implore that you actually managed to achieve what you are setting out with this wordy document but we have little faith, in fact, do not believe, that our environment and the precious habitats and lives of our wonderful local flora and fauna will be enhanced or even upheld in the process and we therefore believe that this Local Plan is unsound.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/spw>

## Object

**Document Element:** Policy H1 Meeting Housing Needs

**Respondent:** The Bramley Family [8087]

**Agent:** PowerHaus Consultancy (Ms Harriet Young, Planner) [8083]

**Summary:**

To help deliver vital housing numbers that the area and surrounding counties so desperately need, further support should be provided to enable the essential infrastructure improvement works to go ahead. CDC should then revise the housing numbers in Policy H1 to reflect the local housing need.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Reg 19 Consultation Response - <https://chichester.oc2.uk/a/spk>

Clay Lane Motivational Document - <https://chichester.oc2.uk/a/spz>

Transport Site Accessibility Review - <https://chichester.oc2.uk/a/spm>

## Support

**Document Element:** Strategic Locations/Allocations, 5.6

**Respondent:** Berkeley Strategic Group (Mr Charlie Rollet-Manus) [7916]

**Summary:**

Berkeley supports the Council's methodology of allocating housing sites to meet the housing and economic development needs of Chichester District, based primarily on their suitability, availability and achievability.

Berkeley supports the carry forward of existing local plan strategic site allocations. The delivery of these sites provides a critical component of the housing supply in the early years of the plan period and should be regarded as being a priority.

**Full text:**

Berkeley supports the Council's methodology of allocating housing sites to meet the housing and economic development needs of Chichester District, based primarily on their suitability, availability and achievability.

Berkeley supports the carry forward of existing local plan strategic site allocations. The delivery of these sites provides a critical component of the housing supply in the early years of the plan period and should be regarded as being a priority.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Strategic Locations/Allocations, 5.6

**Respondent:** Mr David Lock and Ms Melanie Jenkins [7930]

**Agent:** Mr Jonathan Lambert [7926]

**Summary:**

Berkeley supports the Council's methodology of allocating housing sites to meet the housing and economic development needs of Chichester District, based primarily on their suitability, availability and achievability.

Berkeley supports the carry forward of existing local plan strategic site allocations. The delivery of these sites provides a critical component of the housing supply in the early years of the plan period and should be regarded as being a priority.

**Full text:**

Berkeley supports the Council's methodology of allocating housing sites to meet the housing and economic development needs of Chichester District, based primarily on their suitability, availability and achievability.

Berkeley supports the carry forward of existing local plan strategic site allocations. The delivery of these sites provides a critical component of the housing supply in the early years of the plan period and should be regarded as being a priority.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mrs Joanna Wright [7831]

**Summary:**

Your document states that Loxwood 'benefits from services and facilities, including healthcare'. This is absolutely untrue on these counts:

No bus  
No shop  
Inadequate sewers  
Flooding issues  
Water neutrality  
School full  
Doctors full

**Full text:**

I object to 220 homes in Loxwood on the following basis:

Your document states that Loxwood 'benefits from services and facilities, including healthcare'. This is absolutely untrue,

We have one bus per day to Guildford, which returns an hour later so is useless.  
We have no general shop or Post Office any more  
We have tiny sewers than cannot cope with the water we have now  
We have water neutrality issues that prevent even the new shop from starting up  
The school is full and turning away children - and has no room to expand  
The Doctors Surgery is bursting and cannot take more patients, it is next to impossible to get an appointment now  
We only have one through road  
We have flooding issues

**Change suggested by respondent:**

Fewer houses for Loxwood. They need to go nearer to Urbanisation such as Chichester, where there is retail, transport, roads, services.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

The capacity at Bosham sewage works is zero, therefore the housing allocation must be zero not 245.  
The Q90 Dry Weather Flow rate limit set by the Environment agency is 1221 m3 per day for Bosham wwtw.  
The latest actual Q90 Dry Weather Flow rate for 2021 for Bosham was 1339 m3 per day which is above the limit.  
Therefore no new housing can be allocated until Southern Water bring forward their plans for upgrading the Bosham sewage works. They have not done this as at Feb 2023. There is simply no capacity at the sewage works for new housing.

**Full text:**

The capacity at Bosham sewage works is zero, therefore the housing allocation must be zero not 245.  
The Q90 Dry Weather Flow rate limit set by the Environment agency is 1221 m3 per day for Bosham wwtw.  
The latest actual Q90 Dry Weather Flow rate for 2021 for Bosham was 1339 m3 per day which is above the limit.  
Therefore no new housing can be allocated until Southern Water bring forward their plans for upgrading the Bosham sewage works. They have not done this as at Feb 2023. There is simply no capacity at the sewage works for new housing.

**Change suggested by respondent:**

The allocated housing for Bosham should be 0 not 245

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Flows and Spills 2021.PNG - <https://chichester.oc2.uk/a/qc>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mrs Deborah Speirs [7843]

**Summary:**

On what basis has Loxwood been considered a strategic site? What evidence makes this a sound conclusion?

**Full text:**

On what basis has Loxwood been considered a strategic site? What evidence makes this a sound conclusion?

**Change suggested by respondent:**

Loxwood removed from Strategic Site status

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Ms Louise Williamson [7836]**Summary:**

220 houses in LOxwood when there is still no water neutrality really does not make sense. I would also like to ask if Chichester Council are trying to end life in rural villages. Please note that Loxwood is a village and not a town!

**Full text:**

220 houses in LOxwood when there is still no water neutrality really does not make sense. I would also like to ask if Chichester Council are trying to end life in rural villages. Please note that Loxwood is a village and not a town!

**Change suggested by respondent:**

The number of houses need to be drastically reduced otherwise this will be to the detriment of all residents and the current eBay of life. There is no shop in place either to serve the community so how do you expect the expansion of the community to be successful?

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]**Summary:**

Building 84% (8717 houses) of the allocated housing along the east-west corridor is not justifiable. There are no guaranteed upgrades to the sewage network or the strategic road network in this area. The areas proposed rely on wastewater treatment facilities which are already over capacity. The road network cannot cope and there are modelled peak time delays of 29 minutes to access the Fishbourne roundabout if this scale of development goes ahead. The Fishbourne roundabout has been over-capacity since 2014 and no measures have been taken to improve the situation. There is nothing guaranteed in the plan to address this.

**Full text:**

Building 84% (8717 houses) of the allocated housing along the east-west corridor is not justifiable. There are no guaranteed upgrades to the sewage network or the strategic road network in this area. The areas proposed rely on wastewater treatment facilities which are already over capacity. The road network cannot cope and there are modelled peak time delays of 29 minutes to access the Fishbourne roundabout if this scale of development goes ahead. The Fishbourne roundabout has been over-capacity since 2014 and no measures have been taken to improve the situation. There is nothing guaranteed in the plan to address this.

**Change suggested by respondent:**

Policy A11 needs to be removed from the local plan.

Policy A12 needs to be removed from the plan.

Policy A13 should be limited to 300 houses.

The housing numbers allocated in the plan should be cut to 2,699 and should be allocated based on provision identified in neighbourhood plans.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** No**Attachments:** None**Support****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Thames Water Utilities Ltd (Mr David Wilson, Town Planner) [7761]**Summary:**

If any sites were to be located within the Thames Water region, a consideration to the potential impact on water and wastewater infrastructure should be included when promoting a development and provision for upgrades should be made, where required.

**Full text:**

Thames Water are the statutory sewerage undertaker for a small part of the northern area of the District around Haslemere and are hence a "specific consultation body" in accordance with the Town & Country Planning (Local Planning) Regulations 2012

None of the strategic sites are located within the Thames Water region.

If any sites were to be located within the Thames Water region, a consideration to the potential impact on water and wastewater infrastructure should be included when promoting a development and provision for upgrades should be made, where required.

The time to deliver water/wastewater infrastructure should not be underestimated. It can take 18 months – 3 years for local upgrades and 3 – 5 years plus for more strategic solutions to be delivered. It is therefore vital that the Council and Developers work alongside Thames Water so that we can build up a detailed picture what is being built where, get confidence of when that development is going to start and what the phasing of that development will be.

To support this Thames Water offers a Free pre planning service where developer can engage Thames water to understand what if any upgrades will be needed to serve the development where and when.

Link here > <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/water-and-wastewater-capacity>

We recommend developers attach the information we provide to their planning applications so that the Council and the wider public are assured water and waste matters for the development are being addressed.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Increase provision as per objection to H1 but reduce in Loxwood as per previous comments

**Full text:**

Increase provision as per objection to H1 but reduce in Loxwood as per previous comments

**Change suggested by respondent:**

Increase Hambrook and Nutbourne to 500 as previously suggested in the consultation documents which were sent to the Parishes.

Reduce Loxwood allocation.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mrs Charlotte Smith [7881]

**Summary:**

I object to 220 new houses to be built in Loxwood. It does not take into account the number of houses that have already been given planning permission. So it will be more than 220 and this Plan is not being honest. There will be too many houses that will be built on green fields. They will totally overwhelm the village which has a very limited bus service and no amenities. What about the Crouchlands development? No mention of the 600 houses and new primary school which is only a short distance from Loxwood.

**Full text:**

I object to 220 new houses to be built in Loxwood. It does not take into account the number of houses that have already been given planning permission. So it will be more than 220 and this Plan is not being honest. There will be too many houses that will be built on green fields. They will totally overwhelm the village which has a very limited bus service and no amenities. What about the Crouchlands development? No mention of the 600 houses and new primary school which is only a short distance from Loxwood.

**Change suggested by respondent:**

I think brown field sites should be found. Development should take place on the outskirts of larger settlements not in small villages that do not have the infrastructure and capacity to cope. North of Chichester council is being unfairly targeted. You have to take into account the problem of sewage disposal and the impact of water usage which will damage the RSPB nature reserves and the rivers. Therefore south of the A27 would be the obvious choice for development/re-development.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Portsmouth Water Ltd (Mr Simon Deacon, Catchment and Environment Manager) [7531]

**Summary:**

Portsmouth Water support this policy.

**Full text:**

Portsmouth Water support this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Dana Dean [7219]

**Summary:**

I can only speak for Loxwood. We have a current approved village plan and have submitted another which due to water problems you have sat on. Loxwood is a rural village: residents treasure their rural environment. We have complied to building requests in the past and literally hundreds of hours of work, planning and local discussion has gone into the preparation of village plans, all, it appears, to no avail. We have no shop, the school is full and 50 years out of date; there is one ridiculous bus. we are not and never have been a 'Service' village.

**Full text:**

I can only speak for Loxwood. We have a current approved village plan and have submitted another which due to water problems you have sat on. Loxwood is a rural village: residents treasure their rural environment. We have complied to building requests in the past and literally hundreds of hours of work, planning and local discussion has gone into the preparation of village plans, all, it appears, to no avail. We have no shop, the school is full and 50 years out of date; there is one ridiculous bus. we are not and never have been a 'Service' village.

**Change suggested by respondent:**

The wishes of the residents of Loxwood and their local council should be given consideration . 220 new houses in Loxwood should be revoked on the grounds of unlawful urban sprawl.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mr David Amey [7898]

**Summary:**

We are on a junction of two B-roads, not big enough for big housing development  
The school is full, with a waiting list and no room to expand  
Loxwood floods badly  
The sewers are too small to cope with the village as it now is  
Fresh water supplies are stretched to the maximum as it now is  
Water neutrality is an ongoing issue in Loxwood  
There is no gas  
There is no shop  
There is no public transport  
We are car-dependent and building 220 new homes would bring huge air and traffic pollution

**Full text:**

We are on a junction of two B-roads, not big enough for big housing development  
The school is full, with a waiting list and no room to expand  
Loxwood floods badly  
The sewers are too small to cope with the village as it now is  
Fresh water supplies are stretched to the maximum as it now is  
Water neutrality is an ongoing issue in Loxwood  
There is no gas  
There is no shop  
There is no public transport  
We are car-dependent and building 220 new homes would bring huge air and traffic pollution

**Change suggested by respondent:**

It would be better to build near to major roads. Our little B roads are not suitable and it would render the current village unsafe to add more new traffic, with cars, delivery vans and supply vehicles.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None



**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Mrs Penelope Gaze [7900]**Summary:**

Lack of infrastructure, ie schools and medical facilities. Children are already having to go out of the village to school which is totally unacceptable and not in line with travel policy, ie virtually no public transport which means excessive use of cars, and thus detrimental to the environment. Loxwood medical practice is not going to cope with the additional population as it is stretched to breaking already. Loxwood and Dunsfold development will make the problem even more disastrous.

**Full text:**

Lack of infrastructure, ie schools and medical facilities. Children are already having to go out of the village to school which is totally unacceptable and not in line with travel policy, ie virtually no public transport which means excessive use of cars, and thus detrimental to the environment. Loxwood medical practice is not going to cope with the additional population as it is stretched to breaking already. Loxwood and Dunsfold development will make the problem even more disastrous.

**Change suggested by respondent:**

Brownfield sites are available in abundance.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Loxwood (Mellow) Ltd [7870]**Agent:** Ms Megan Smith [7858]**Summary:**

While we support the proposed growth of Loxwood, we wish to highlight that this proposed figure of 220 will not sufficiently meet the objectively assessed need for housing within the District, and should be increased to allow greater housing provision in the North of the Plan Area.

In line with our comments on Policy H1 – Meeting Housing Needs, we propose a greater allocation of dwellings to the sustainable settlement of Loxwood, with a minimum of 300 dwellings, based on the findings of the Sustainability Appraisal (Jan 2023).

In addition to this, we do not support the strategic allocation of housing at a Parish/Neighbourhood

Plan level, and strongly object to proposed provision of 220 dwellings via parish allocations. This is based on the proposed settlement boundary within the Revised Neighbourhood Plan for Loxwood, not adopting appropriate sites for housing.

**Full text:**

Please refer to attached supporting document. Policy H2 is discussed on page 12.

**Change suggested by respondent:**

Allocate a minimum of 300 dwellings to Loxwood. Remove the reliance on the delivery of housing via Neighbourhood Plans and parish allocations.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** 7093 - PL-15A - Location Plan.pdf - <https://chichester.oc2.uk/a/srd>  
Written representation letter - <https://chichester.oc2.uk/a/s3n>

**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Loxwood (Mellow) Ltd [7870]**Agent:** Ms Megan Smith [7858]**Summary:**

While we support the proposed growth of Loxwood, we wish to highlight that this proposed figure of 220 will not sufficiently meet the objectively assessed need for housing within the District, and should be increased to allow greater housing provision in the North of the Plan Area. In line with our comments on Policy H1 – Meeting Housing Needs, we propose a greater allocation of dwellings to the sustainable settlement of Loxwood, with a minimum of 300 dwellings, based on the findings of the Sustainability Appraisal (Jan 2023).

In addition to this, we do not support the strategic allocation of housing at a Parish/Neighbourhood Plan level, and strongly object to proposed provision of 220 dwellings via parish allocations. This is based on the proposed settlement boundary within the Revised Neighbourhood Plan for Loxwood, not adopting appropriate sites for housing.

**Full text:**

We acknowledge that the figure of 220 dwellings for Loxwood has been assessed through an approximate blend of scenarios within the Sustainability Appraisal, however the higher growth scenarios allow between 450-1050 dwellings.

While we support the proposed growth of Loxwood, we wish to highlight that this proposed figure of 220 will not sufficiently meet the objectively assessed need for housing within the District, and should be increased to allow greater housing provision in the North of the Plan Area. In line with our comments on Policy H1 – Meeting Housing Needs, we propose a greater allocation of dwellings to the sustainable settlement of Loxwood, with a minimum of 300 dwellings, based on the findings of the Sustainability Appraisal (Jan 2023).

In addition to this, we do not support the strategic allocation of housing at a Parish/Neighbourhood Plan level, and strongly object to proposed provision of 220 dwellings via parish allocations. This is based on the proposed settlement boundary within the Revised Neighbourhood Plan for Loxwood, not adopting appropriate sites for housing.

The Sustainability Appraisal discusses the 10 unit site, HLX0006, and outlines that the site is considered to be suitable, available and achievable within the HELAA. As such, the SA has included the site within the calculated sum of anticipated future dwellings across Loxwood (220). However, the site has been disregarded within the Neighbourhood Plan and sits outside of the proposed settlement boundary, despite being a highly suitable location for housing allocation.

This Policy can therefore, not be considered 'effective' within the Draft Local Plan as the housing provision of 220 can be increased to better satisfy the objectively assessed housing need in of the District. Further to this, the Parish Council's failure to include and allocate appropriate sites at a Neighbourhood Plan level will mean that the housing target of 220 dwellings will not likely be deliverable across the plan period.

The Draft Local Plan is therefore considered to be 'ineffective' and 'unjustified' by failing to provide sufficient housing provision or ensure the delivery of housing in an effective manner. Policy H2 – Strategic Locations/Allocations should be remove the reliance on the delivery of housing via Neighbourhood Plans and parish allocations, and amend to allowed proposed dwelling allocations to be allocated at a District level, in order to ensure the uptake of appropriate deliverable sites.

**Change suggested by respondent:**

In line with our comments on Policy H1 – Meeting Housing Needs, we propose a greater allocation of dwellings to the sustainable settlement of Loxwood, with a minimum of 300 dwellings, based on the findings of the Sustainability Appraisal (Jan 2023).

In addition to this, we do not support the strategic allocation of housing at a Parish/Neighbourhood Plan level, and strongly object to proposed provision of 220 dwellings via parish allocations. This is based on the proposed settlement boundary within the Revised Neighbourhood Plan for Loxwood, not adopting appropriate sites for housing.

Policy H2 – Strategic Locations/Allocations should be remove the reliance on the delivery of housing via Neighbourhood Plans and parish allocations, and amend to allowed proposed dwelling allocations to be allocated at a District level, in order to ensure the uptake of appropriate deliverable sites.

**Legally compliant:** No**Sound:** No**Comply with duty:** No

**Attachments:** 7093 - PL-15A - Location Plan.pdf - <https://chichester.oc2.uk/a/srp>  
Written representation letter - <https://chichester.oc2.uk/a/s4t>

**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Mrs Jane Towers [7058]**Summary:**

Reduce the housing allocated to Chidham and Hambrook as they should not be service villages.

**Full text:**

Chidham & Hambrook has been misrepresented as a service village. The criteria used is flawed. There is no convenience store, medical services, recreation ground, sports facilities unlike Fishbourne and Bosham. 300 houses is not moderate growth. It increases the population by 30% there are minimal existing facilities to expand and there is no provision in this plan for increased public transport options. Its just left to the private sector to provide, a sector whose aim is to make a profit. There is no bus service north to south and the east/west bus service has been cut to 2 an hour.

**Change suggested by respondent:**

Reduce the allocation for Chidham and Hambrook

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

Allocations in the East/West corridor are outside the existing settlement boundary and in the countryside contrary to Policy NE10.

**Full text:**

Allocations in the East/West corridor are outside the existing settlement boundary and in the countryside contrary to this policy.

**Change suggested by respondent:**

Remove these proposed allocations and identify more suitable locations.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Hanbury Properties [1697]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. The Regulation 19 Plan is not legally compliant as it has not been reviewed within 5 years of the last Plan adopted in July 2015. It is also disappointing that the failure of the current Regulation 19 Local Plan to meet objectively assessed need (OAN) of 638 dpa outside the national park has not been properly evidenced in any up to date statement of common ground with neighbouring authorities with regards to the 'duty to cooperate'.

At this stage we believe the Plan as drafted therefore fails the 'positively prepared', 'effective', and 'consistent with national policy' tests.

In addition, with regard to the longer term growth requirements and the singular issue of a potential new settlement the plan also fails the 'justified' and 'consistent with national policy' tests of soundness.

**Duty to Cooperate**

The 2014-2029 Local Plan adopted in 2015 does not meet the full objectively assessed housing needs for the area. But it did recognise that future proposals to improve the capacity of the A27 and wastewater treatment works could facilitate additional housing growth. For this reason, it committed the Council to a review of the Plan within five years to ensure that housing needs could be met. That undertaking to review within 5 years was not met.

In 2021 the Council invited an advisory visit from PINS to advise on how the present Local Plan should be prepared. The inspector advised that if the Plan was prepared which did not meet the full housing needs of the area, it would have to show that it had followed the duty to co-operate with neighbouring authorities in maximising the effectiveness of plan preparation.

The inspector said the Duty to Cooperate was therefore critical in the preparation of the Local Plan Review. At the time of the meeting, the council said discussions with neighbouring authorities had been carried out on the basis that the Local Plan Review would meet the full objectively assessed housing needs (OAN) for the area. However if this was not the case, the inspector said evidence of constructive, active, and on-going engagement to determine whether or not development needs could be met elsewhere would need to be shown. Importantly, the inspector said, 1) 'a failure to meet the Duty to Cooperate cannot be remedied during the examination process because it applies to the preparation of the Plan, which ends upon submission', and 2) local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before submitting plans for examination.

The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. In the event, the Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted. Appendix 1 of the Statement of Compliance lists those authorities that were consulted during the earlier Regulation 18 Preferred Approach consultation. Appendix 2 lists those authorities where Statements of Common Ground have been agreed with Chichester DC for the Regulation Submission 19 Plan. No statements have produced or agreed. Therefore as it stands the under provision of housing against OAN in the Plan has not been justified. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy in the NPPF paragraph 24-27 which advises on the duty to cooperate approach.

**Local Plan Policies**

The remainder of these comments deal with the Settlement Hierarchy policy S2, H1, H2 H3 and H8.

**Policy S2 – Settlement Hierarchy**

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is

there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

#### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

#### Policy H2 – Strategic Site Allocations and Policy H3 – Non-Strategic Parish Allocations

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

#### Policy H8 – Specialist accommodation for Older People

National policy in the online planning practice guidance (PPG) is clear that the need to provide housing for older people is critical. The guidance on the provision of this type of housing states:

- Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require.
- They could provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.
- It includes the following within the general definition of specialist housing - age-restricted general market housing, retirement living or sheltered housing, extra care housing or housing-with-care, residential care homes and nursing homes, and senior co-housing communities.
- LPA's can identify sites for co-housing communities and other specialist housing types for older people, because,
- Allocating sites can provide greater certainty for developers and encourage the provision of sites in suitable locations. This may be appropriate where there is an identified unmet need for specialist housing. The location of housing is a key consideration for older people who may be considering whether to move (including moving to more suitable forms of accommodation).

Factors to consider include the proximity of sites to good public transport, local amenities, health services and town centres.

In our view however, draft Policy H8 doesn't reflect the guidance in the PPG. For instance, although the policy sets out a threshold of provision for specialist housing of housing sites of 200 or more units, there is no guidance on the actual % provision as there is for example, on affordable housing. All it says is the specific type and amount of accommodation required will depend on the size and location of the site.

The supply of specialist housing should not just be focused on large scale housing schemes. The landscape and environmental constraints across the district even outside the national park would not necessarily allow for large 200 plus unit schemes in all locations. To support an ageing population policy should support the provision of suitable specialist housing to meet the differing needs of individuals across a range of options and in a range of locations.

The second part of H8 should therefore confirm that proposals for specialist housing, such as homes for older people will be supported without any policy qualification for a site's location within or outside a settlement boundary or within an AONB where a proposal in its local context is not deemed to represent major development.

Rather than rely on the criteria based approach, the policy should also allow for the allocation of sites for specialist accommodation for older people in a Neighbourhood Plan where a site has the support of local people.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Hanbury Reg 19 - <https://chichester.oc2.uk/a/sf8>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Berkeley Strategic Group (Mr Charlie Rollet-Manus) [7916]

#### Summary:

Berkeley does not believe the Local Plan provides a suitable level of development around Chichester City and wishes to provide evidence that there is a greater number of suitable sites than is being proposed.

Evidence of this is provided in the relevant comments and the attached representation in full.

#### Full text:

Please see the attached document which provides Berkeley Strategic's representation to the emerging Local Plan in full.

#### Change suggested by respondent:

Berkeley does not believe the Local Plan provides a suitable level of development around Chichester City and wishes to provide evidence that there is a greater number of suitable sites than is being proposed.

Evidence of this is provided in the relevant comments and the attached representation in full.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Lawrence Farm Reg 19 Representations.pdf - <https://chichester.oc2.uk/a/s3x>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Northgate Properties Ltd [8108]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. A question could be raised over the legality of the Regulation 19 Plan as it has not been reviewed within 5 years of the last Plan, which was adopted in July 2015. On the Council's own admission the current Regulation 19 Local Plan fails to meet objectively assessed need (OAN) of 638 dpa outside the national park. However, without any properly evidenced 'duty to cooperate' statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

We support the local authority in its attempts to navigate what is a challenging situation in relation to housing delivery within the district, however at this stage we believe the Plan, as drafted, fails to meet the 'positively prepared', 'effective', and 'consistent with national policy' tests and therefore could be interpreted as unsound.

In a bid to assist the process, we have collated our thoughts on how the Regulation 19 Local Plan could be improved below.

**Local Plan Policies**

These comments deal with the proposed Spatial Strategy (Policy S1) Settlement Hierarchy (S2), policies H1, H2 H3 and NE4. We also propose a new policy H4.

**Policy S1- Spatial Strategy**

Policy S1 deals with the spatial strategy of the plan. It has been informed by the role of each settlement within a hierarchy based on its facilities and services.

We agree that the spatial strategy for delivering growth and development should focus on Chichester city as the main sub-regional centre and most sustainable location with a wide range of services and facilities. However, there are self-evident constraints to further strategic scale development at the settlement itself because of its historic setting, the A27 to the south and east, the harbour AONB to the west and the national park in the north. Focusing growth close to the city would however still reinforce its role as a sub-regional centre and locating a significant proportion of development in or around Chichester city ahead of the second tier settlement hubs would reduce the need to travel to facilities and deliver sustainable development.

**Policy S2 – Settlement Hierarchy**

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

**Policy H1 – Meeting Housing Needs**

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

As indicated earlier, without any properly evidenced 'duty to cooperate' statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

**Policy H2 – Strategic Site Allocations and Policy H3 – Non-Strategic Parish Allocations**

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

**Longer Term Growth Requirements**

Paragraph 22 of the NPPF says strategic policies should look ahead over a minimum 15-year period from the date of the adoption of a plan to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. This justifies the proposed end date of the Plan of 2039. However, the NPPF goes on to state that where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.

Paragraphs 5.11-5.14 of the draft Plan says although its focus is on the development needs of the plan area up to 2039, some initial consideration has been given to the concept of a new settlement to accommodate potential longer term growth needs. This arises from some reservations about whether it will be appropriate in the longer term to continue to rely on existing sources of supply (e.g. urban extensions and urban intensification).

We agree that a new settlement would have a valuable role to play in meeting future housing need of the district and support the lower-case policy text of the Plan at paragraphs 5.11-14. However, bearing in mind the national policy guidance for a 30 year or so vision to allow for the planning and site identification for a new settlement, we see no reason why that part of the lower-case text at paragraph 5.14 of the Regulation 19 Plan should not be elevated into actual Plan policy. Such an approach would deliver benefits to the plan anyway in offering a 'land supply reserve' in the event the Examiner for the Local Plan finds that it should meet OAN in accordance with the 'positively prepared' test. If a new settlement is needed to contribute to OAN, it would then form part of the development strategy of the Plan and justify the policy in principle.

We therefore propose a new Policy H4 – A New Settlement as set out in section 6 below.

**Policy NE4 – Strategic Wildlife Corridors**

The Council produced a Strategic Wildlife Corridor background paper in December 2018 and another technical consultation document in July 2021. Neither document has been updated for the present Regulation 19 Local Plan. It is unclear therefore whether the ecological interest has changed and whether it can still inform the extent and location of the defined wildlife corridors in the current Plan. We say this on the basis that standard habitat surveys are usually required to be reviewed and updated after 18 months.

Paragraph 179(a) of the NPPF sets out policy to protect and enhance biodiversity and geodiversity and states that Plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national, and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them.

We therefore agree that the identification of wildlife corridors in the emerging Plan is consistent with national policy but without any up to date proportionate evidence of biodiversity interest we would question whether their extent and location as shown on the relevant proposals maps have been justified.

As it stands, the wording of Policy NE4 also goes beyond the purpose of the policy which is the 'safeguarding of wildlife rich habitats and wider ecological networks'.

Policy NE4 states development will only be permitted where it would not lead to an adverse effect upon the ecological value, function, integrity, and connectivity of the strategic wildlife corridors. It does not resist development in principle and so long as impacts can be adequately mitigated it should be granted.

This policy principle therefore makes redundant policy test 1 which introduces a sequential test for preferable sites outside a corridor. The test is in conflict with the underlying purpose of the policy which is to safeguard wildlife corridors from adverse harmful impacts that cannot be mitigated. Test 1 should therefore be deleted.

Development outside or in close proximity to a wildlife corridor should not be subject to the policy requirements of NE4 either and the designation should end at its boundary. 'Close proximity' is vague and would introduce uncertainty to the policy. If development does not undermine the connectivity and ecological value of the corridor, then there is no proper basis for the policy restriction on such development. We therefore propose the deletion of the second part of the policy as well.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Northgate Final - <https://chichester.oc2.uk/a/sf9>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Berkeley Strategic Group (Mr Charlie Rollet-Manus) [7916]

**Summary:**

Policy H2 the local plan suggests a further 1,125 homes could be delivered through the allocation of three new sites around Chichester City.

Inclusive of the three proposed site allocations, the total proposed level of housing around Chichester City stands at 4,080 dwellings. Given the length of the plan period, and the strategic importance of Chichester City, as outlined above, Berkeley considers there is greater capacity for development surrounding Chichester City, which can contribute towards the current shortfall, such as land at Lawrence Farm.

**Full text:**

Policy H2 the local plan suggests a further 1,125 homes could be delivered through the allocation of three new sites around Chichester City.

Inclusive of the three proposed site allocations, the total proposed level of housing around Chichester City stands at 4,080 dwellings. Given the length of the plan period, and the strategic importance of Chichester City, as outlined above, Berkeley considers there is greater capacity for development surrounding Chichester City, which can contribute towards the current shortfall, such as land at Lawrence Farm.

**Change suggested by respondent:**

A greater level of housing needs to be included around Chichester City, given the additional capacity.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

The housing numbers are too high. 2000 houses are planned from Fishbourne to Southbourne along one transport route. This is not sustainable and will result in coalescence, suburbanisation, traffic congestion, decrease in air quality, substantial impacts on landscape, green infrastructure, the AONB and the environment.

**Full text:**

The housing numbers are too high. 2000 houses are planned from Fishbourne to Southbourne along one transport route. This is not sustainable and will result in coalescence, suburbanisation, traffic congestion, decrease in air quality, substantial impacts on landscape, the AONB and the environment.

**Change suggested by respondent:**

Reduce the housing allocation number.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Westhampnett Parish Council (Ms Becca Anderson, Parish Clerk) [1055]

**Summary:**

Westhampnett Parish Council would like to point out that the current local plan was adopted in July 2015, and under Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 various bodies and stakeholders were notified in June 2017 that the council was preparing a plan, and invited to comment about what that plan ought to contain: consultation on the preferred approach closed in February 2019.

Since that time, there has been a marked shift in local authority obligations on housing requirements; feedback received on the Regulation 18 consultation is outdated, and we would question whether the plan is procedurally sound; there is a need to return to the Regulation 18 stage.

On that basis, we have the right to make representation in person to the individual appointed as the planning inspector.

**Full text:**

Westhampnett Parish Council would like to point out that the current local plan was adopted in July 2015, and under Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 various bodies and stakeholders were notified in June 2017 that the council was preparing a plan, and invited to comment about what that plan ought to contain: consultation on the preferred approach closed in February 2019.

Since that time, there has been a marked shift in local authority obligations on housing requirements; feedback received on the Regulation 18 consultation is outdated, and we would question whether the plan is procedurally sound; there is a need to return to the Regulation 18 stage.

On that basis, we have the right to make representation in person to the individual appointed as the planning inspector.

**Change suggested by respondent:**

Plan for a range of new housing that meets the needs of local people, that does not overburden any one place, including taking into account changing requirements at different stages of life, affordable housing and specialist accommodation; helping young people and families to stay in the area; Plan to provide local infrastructure to support new development before approving such, and seek opportunities to address existing infrastructure problems, such as those relating to the A27 and wastewater treatment

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Mr David Lock and Ms Melanie Jenkins [7930]**Agent:** Mr Jonathan Lambert [7926]**Summary:**

Policy H2 of the local plan suggests a further 1,125 homes could be delivered through the allocation of three new sites around Chichester City.

Given the length of the plan period, and the strategic importance of Chichester City, as outlined above, Berkeley consider a there is greater capacity for development surrounding Chichester City, which can contribute towards meeting the identified housing supply shortfall, such as land at Raughmere Farm.

**Full text:**

The site is located adjacent to the edge Chichester City, which as discussed above, is the most sustainable settlement in the district. The site therefore represents a suitable location for development, in accordance with the spatial strategy and is close to key services.

As clarified at the recent application and appeal, the development of the site would have no impact on the capacity of the A27 or wastewater treatment that cannot be mitigated. The site is not in an area constrained by water neutrality. The site is not constrained by any of the reasons given at paragraph 5.2.11 of the Sustainability Appraisal as to why housing needs cannot be met in full.

The only constraint referred to in the latest HELAA assessment of the site is noise as a result of proximity to Goodwood Airfield. During the appeal, the inspector did not dispute that an average 55dB noise level over a 16 hour period would not be exceeded in external amenity areas. This noise exposure standard is referred to in national guidance and as the benchmark noise threshold for external amenity areas in adopted local planning policies, such as Royal Borough of Windsor and Maidenhead. Satisfactory internal noise levels can be achieved through detailed building design. As a result, it is considered that this site is suitable for development, having regard to noise constraints.

Additionally, Policy A17 of the emerging Local Plan refers to development being unacceptable within a 400m buffer of Goodwood Aerodrome. The eastern edge of Raughmere Farm is not within this buffer.

The recent appeal decision relating to the site refers to a deterioration of the rural character of the site and a diminution of the gap separating Chichester and Lavant. Berkeley considers that through an amended scheme design, the rural character and gap can be preserved. The HELAA raised no landscape objections to the site.

The appeal inspector concluded that the proposed development of the site was not acceptable in landscape and noise terms and that the Council were able to demonstrate a 5 year land housing supply, meaning that the harm identified was not outweighed by the housing delivery and other benefits of the development at that time. However, it is evident now that the Council are unable to meet their housing need and so the benefit of development in this respect should be given more weight than the harm caused by any perceived landscape or other impacts.

As such, the perceived impacts of development at Raughmere Farm can be mitigated and are therefore not considered to outweigh the need for increased housing delivery in the District. The site is therefore suitable and available for development and should be allocated in the local plan to more fully meet the district housing need.

**Change suggested by respondent:**

Given there is now an identified shortfall in housing provision arising from the draft local plan, the suitability of the site must be reconsidered having regard to the housing shortfall. In doing so, it is evident that the development of this site would not result in adverse impacts that would significantly or demonstrably outweigh the benefits. The site should there be allocated in the local plan to assist in more fully meeting the identified housing need of the district.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Mr Richard Moseley [7938]**Summary:**

I object to the significant allocation of housing to Loxwood as development is in an area remote from employment and services, not well served by public transport, not within cycling distance of services and employment and will increase pressure on already overloaded utilities, particularly sewage.

**Full text:**

I object to the significant allocation of housing to Loxwood as development is in an area remote from employment and services, not well served by public transport, not within cycling distance of services and employment and will increase pressure on already overloaded utilities, particularly sewage.

**Change suggested by respondent:**

The housing allocation for Loxwood should be moved to locations better served by services, employment, public transport and available utilities.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None



**Object**

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mr Roger Newman [5488]

**Summary:**

The plan for Loxwood is unsustainable given the local lack of employment, public transport and waste water disposal. There will be a total reliance on car journeys for work, leisure and living needs. For these reasons the increase of 220 houses is fundamentally flawed and unsustainable. This local plan demonstrates a lack of understanding of the environment in the far north of the district and needs revisiting for Loxwood and surrounding villages.

**Full text:**

The plan for Loxwood is unsustainable given the local lack of employment, public transport and waste water disposal. There will be a total reliance on car journeys for work, leisure and living needs. For these reasons the increase of 220 houses is fundamentally flawed and unsustainable. This local plan demonstrates a lack of understanding of the environment in the far north of the district and needs revisiting for Loxwood and surrounding villages.

**Change suggested by respondent:**

There needs to be reduction in the number of houses required in Loxwood back to the numbers stated in the neighbourhood plan which is currently held up in CDC.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Chichester and District Cycle Forum (Mr Ian Sumnall, Retired) [5361]

**Summary:**

Allocations should only be released when Transport and Wastewater infrastructure is at least committed.

**Full text:**

As an example, site A11, Highgrove farm, subject to a current application should only be released when Transport and Wastewater infrastructure is at least committed.

**Change suggested by respondent:**

Amend allocation policies to include conditions that a site may only come forward after specific infrastructure requirements have been met.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Amended Policy A11 Bosham v2.docx - <https://chichester.oc2.uk/a/ssy>

**Object**

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Miss Karin Jones [6559]

**Summary:**

A15 - Loxwood. The number of proposed additional houses for Loxwood is incredible! The village has already taken it's overloaded unfair share already and to want to add and develop a further 220 is abhorrent. There are NO facilities to support this influx of houses/people and is detrimental to the current residents.

**Full text:**

A15 - Loxwood. The number of proposed additional houses for Loxwood is incredible! The village has already taken it's overloaded unfair share already and to want to add and develop a further 220 is abhorrent. There are NO facilities to support this influx of houses/people and is detrimental to the current residents.

**Change suggested by respondent:**

It needs to be revisited and this madness stop!

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object**

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mr William MacGeagh [5889]

**Summary:**

A single large site allocation for Loxwood is contrary to the needs, characteristics, available information, local insights / positive approaches to local growth embracing Localism and self-build homes.

**Full text:**

The policy approach for Loxwood is for inappropriate homogeneous large scale housing estate development.

This does little to broaden housing choice in the local area because similar developments are evident at larger nearby centres such as at Billingshurst in Horsham District.

Communities in Loxwood and the north of the district are ready to embrace more dispersed smaller site opportunities and growth of a proportionate scale that serves to organically evolve and grow the settlements maximising support for local businesses, facilities and self reliant strong sustainable communities.

Local insights and available information on local growth and self build housing are not reflected.

The policy approach lets the northern part of the district down because it does not reflect an understanding and appreciation of the particular potential of the local area and its distinct social, environmental, economic and settlement characteristics including demographics.

**Change suggested by respondent:**

Replace the single large site allocation for Loxwood with a dispersed approach comprising small / medium sized sites with a focus on self build housing provision.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

We strongly support an amendment to be made to Policy H2 to allow for the provision of circa (or a minimum of) 1,250 dwellings at Southbourne

**Full text:**

We broadly support the sixteen development requirements included within the allocation wording of emerging policy A13; these are briefly addressed in turn below;

Provide an appropriate mix of housing types, sizes and tenures to meet evidenced local need including affordable housing and specific provision to meet specialised housing needs including 16 serviced self/custom build plots, accommodation for older people and accessible and adaptable homes in accordance with relevant Plan policies; The scheme would present an emerging policy compliant mix of housing types and tenures. We would look to work closely with the local community to identify the appropriate location and phasing for self and/or custom build plots within the Masterplan to ensure the plots come forward in a suitable location that has been considered alongside the wider masterplanning exercise.

Provide 12 gypsy and traveller pitches in accordance with Policy H11; Whilst we recognise the need for the provision of G&T pitches within the District; based on the previous discussions with the Neighbourhood Planning group and local community we feel that the Council would benefit from exploring more appropriate areas for new sites and/or the intensification of nearby sites.

Provide a serviced site(s) for travelling showpeople which should deliver 12 plots, each of sufficient size to allow for the provision of accommodation and equipment plus storage/maintenance, in accordance with Policy H11; As above.

Provide a suitable means of access to the site(s), securing necessary off-site improvements (including highways) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options; The comprehensive masterplanning approach that has been and will continue to be taken with the scheme will ensure a cohesive layout and access arrangement to best integrate with the existing community. Paragraphs 2.20-4 above outline our recommendation to the Council with regards to infrastructure improvements and we maintain that the most effective way of securing on- and off-site improvements is to place the onus on the developer to ensure their delivery and integration with the local community.

Provide any required mitigation to ensure there is no adverse impact on the safety of existing or planned railway crossings; Any submission will be supported by a robust transport assessment and mitigation strategy.

Ensure adequate provision of supporting infrastructure including education provision, community facilities and transport in accordance with the most up to date Infrastructure Delivery Plan; We support the need for supporting infrastructure, which forms a primary objective of the proposals on last east of Southbourne. We feel that their delivery will be most appropriately secured outside of the limitations of CIL.

Give detailed consideration of the impact of development on the surrounding landscape, including the South Downs National Park and Chichester Harbour AONB and their settings. Development should be designed to protect long-distance views to the South Downs National Park; We support the desire to protect these areas and their settings. Any submission will be supported by a full landscape and visual impact assessment to demonstrate that the scheme east of Southbourne can be a cohesive visual element into the existing built form of the village and avoid any element of incongruousness or harmful impact on the surrounding protected areas.

Ensure that multifunctional green infrastructure provision is well related to the overall layout and character of the development as well as providing opportunities to extend into the wider countryside and surroundings; The proposed scheme to the east of Southbourne would be capable of delivering a significant portion of the Green Ring, originally allocated in the Southbourne Neighbourhood Plan 2015. The Consortium is also supportive of a central feature through the site and the approach to align the Green Ring with the north-south public right of way which connects with the green infrastructure on the eastern edge of the neighbouring Cooks Lane development. This approach would allow the green ring to be cohesive with the neighbouring green infrastructure, whilst also maintaining the public rights of way, in conformity with paragraph 98 of the NPPF. Whilst this central 'Inner' Green Ring could include play, gym trail, walking and cycling, benches and a variety of greenspace (amenity and natural), which would create a varied and engaging corridor, we would work with the Neighbourhood Plan Group to identify the best mechanism to position sports and allotments through a masterplanned approach.

Demonstrate that development would not have an adverse impact on the nature conservation interest of identified sites and habitats including the strategic wildlife corridors; We support the desire to protect key habitats and the scheme will be informed by extensive habitat surveys and mitigation strategies.

Provide mitigation to ensure the avoidance of adverse effects on the SPA, SAC and Ramsar site at Chichester Harbour including contributing to any strategic access management issues, loss of functionally linked supporting habitat and water quality issues relating to runoff into a European designated site; We echo the need to avoid adverse effects on the SPA, SAC and Ramsar site at Chichester Harbour and all necessary mitigation will be provided on- and off-site where required.

Protect any other key views; We support the desire to protect the key views of the wider area. Any submission will be supported by a full landscape and visual impact assessment.

Ensure that allocations and policies accord with the sequential approach to flood risk, and that development will be safe for its lifetime, taking account of climate change impacts, as per the requirements set out in national policy and having due regard to the council's latest Strategic Flood Risk Assessment; We support this requirement and discussions with the Environment Agency and the LLFA will inform the most effective flood mitigation and drainage strategy for the site.

Ensure sufficient capacity within the relevant wastewater infrastructure before the delivery of development as required; Addressed in Paragraphs 2.5-10 above, we have concerns regarding the emerging plan's wording around the future capacity improvements of WwTW in the Apuldrum catchment.

Demonstrate that development would not have an adverse impact on the significance of heritage assets or their settings; Any submission will be supported by a full heritage assessment and the layout and scale will be adjusted accordingly to best protect any nearby heritage assets.

Maintain the character and integrity of existing settlements and provide clear separation between new development and neighbouring settlements including through the definition and protection of landscape gaps. The consortiums approach allows for the masterplan to be designed to best protect the existing settlement of Southbourne from any coalescence with surrounding hamlets. The location of development to the east of the village and the inclusion of the Green Ring is the most appropriate and effective way to protect the village's visual separation and identity.

Consider the Minerals Safeguarding Area and in line with the West Sussex Joint Minerals Local Plan, a minerals resource assessment may be required to assess if the land contained a mineral resource that would require extraction prior to development. Account should also be taken of the West Sussex Waste Local Plan and associated guidance in relation to safeguarding policy W2. We support this inclusion, and any proposal will be accompanied by a minerals resource assessment if needed.

In general, we support the comprehensive masterplanning approach for development in Southbourne. Our proposals are the result of a complete collaboration between landowners and reiterate that the Consortium has always maintained a desire to deliver a comprehensive development that secures substantial benefits to the existing community. It is obviously important that any landowners included within the proposed allocation are required to work collaboratively with others and the local community, sharing the overall infrastructure and policy requirements fairly and proportionately.

We strongly support an amendment to be made to Policy H2 to allow for the provision of circa (or a minimum of) 1,250 dwellings at Southbourne. The accompanying sustainability appraisal, discussed later, supports a larger quantum of development on this site, with benefits realised of accessibility, environmental quality, climate change mitigation, community enhancement, health, historic environment and landscape. A major element of our proposals at Southbourne are in the infrastructure and community improvements to the local residents and increasing the overall housing numbers by less than 20% on this site is key in the wider delivery of package of the infrastructure improvements associated with the scheme.

There is no intention to deliver piecemeal development proposals within the area, which would likely prejudice the delivery including infrastructure delivery. We maintain the most effective way to ensure the infrastructure improvements associated with the scheme would come forward at an effective and appropriate time would be to remove the need for the proposals to contribute to CIL and instead have a direct commitment between the scheme and the improvements to Southbourne.

**Change suggested by respondent:**

We strongly support an amendment to be made to Policy H2 to allow for the provision of circa (or a minimum of) 1,250 dwellings at Southbourne

**Legally compliant:** Not specified

Sound: No

Comply with duty: No

Attachments: 27783 A5 OH RS Regulation 19 Reps FINAL.pdf - <https://chichester.oc2.uk/a/s9r>  
27783 A5 Regulation 19 Reps Final w Appendices - <https://chichester.oc2.uk/a/t8w>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

### Summary:

The Chichester Harbour Trust objects to the proposed housing allocations, in particular with reference to the allocations below which principally affect Chichester Harbour AONB:

A11 Land at Highgrove Farm, Bosham  
A13 Southbourne Broad Location for Development  
A12 Nutbourne and Hambrook (Chidham and Hambrook Parish)

### Full text:

The Chichester Harbour Trust objects to the proposed housing allocations, in particular with reference to the allocations below which principally affect Chichester Harbour AONB:

A11 Land at Highgrove Farm, Bosham  
A13 Southbourne Broad Location for Development  
A12 Nutbourne and Hambrook (Chidham and Hambrook Parish)

The combined allocation for these sites is 1,595, and should be considered in combination with the 1,600 houses allocated in A6 West of Chichester, and 30 at Fishbourne Parish leading to a total of 3,225. Taking into consideration the 2,100 houses planned at Havant Borough Council's strategic site at Southleigh, this gives a total figure of 5,325 houses between Chichester and Havant in the gap between the AONB and National Park. This represents major development within the 5.6km zone of influence for Chichester Harbour SSSI.

It is our observation that these proposed allocations represent a conflict with the policies outlined in the Plan chapter 4 on the natural environment, which makes it hard to justify the soundness of the Plan, particularly:

Policy NE2 Natural Landscape  
Policy NE3 Landscape Gaps between settlements  
Policy NE6 Chichester's Internationally and Nationally Designated Habitats  
Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat  
Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty  
Policy NE16 Water Management and Water Quality

Our specific objections to the allocations at A11,12 and 13 relate to:

- the impact on the sensitive landscape setting of the AONB and loss of open views to the South Downs
- the over-reliance on developing greenfield sites, mostly on grade 1 & 2 agricultural land leading to concerns about unsustainable loss of countryside and impact on food production and food security
- the inadequate waste water treatment infrastructure and lack of funded improvements in the timescales required
- the additional flood risk and ground water issues raised by construction on low lying coastal plain sites
- the impact on biodiversity and species that rely on the interconnectivity between the protected landscapes
- the additional recreational pressure of over 5,000 homes (potentially over 10,000 people) within the SSSI zone of influence
- the inevitable increase in air, noise, and soil pollution

It is noted that in the case of A12 and A13, the location of the development is not yet clear as the sites will be determined through the neighbourhood planning process, however it is hard to see how the concerns raised above would not be relevant.

Overall, we feel that the Plan does not reflect emerging government rhetoric (soon to translate to policy through the NPPF) about overdevelopment of countryside in the South East of England, and that the timescale is not compatible with the NPPF review which may lead to an alternative method of determining housing allocations in the district. For this reason we find the plan to be unsound.

### Change suggested by respondent:

The housing allocation for the east-west corridor should be reduced, with particular reference to:

A11 Land at Highgrove Farm, Bosham  
A13 Southbourne Broad Location for Development  
A12 Nutbourne and Hambrook (Chidham and Hambrook Parish)

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: Written representation letter - <https://chichester.oc2.uk/a/tr8>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Hallam Land Management Limited [1696]

**Agent:** LRM Planning Ltd (Miss Kate Coventry, Senior Planner) [6627]

### Summary:

The wording of 'at least' within Policy H1 provides flexibility on ability to achieve minimum amount of housing considered necessary in line with Policy S2. Using 'at least' is considered a sensible approach to allow achievement rather than under delivery of much needed housing. Strategic locations/allocations set out in Policy H2 do not reflect flexible approach. See Paragraph 119 of NPPF. Policy A13 does not allow for masterplanning approach to further assess actual capacity and best use of land. Flexibility should be embedded into wording of Policy H2 to ensure intention of Policy S2 is achieved; housing target of at least 10,350 dwellings is met; and land identified for development is most effectively used.

### Full text:

1 Introduction

1.1 These Representations have been prepared on behalf of Hallam Land Management Limited (hereafter 'Hallam'), in response to the Chichester Local Plan Review Proposed Submission Plan consultation.

1.2 Hallam is a strategic land promotion company operating throughout England, Wales and Scotland delivering land for new employment and commercial premises, housing, including specialist elderly housing, and mixed-use developments. Hallam has been acquiring, promoting, developing and trading in land since 1990. During that time, the company has established an outstanding record in resolving complex planning and associated technical problems in order to secure planning permissions for a whole range of different land uses to facilitate the delivery of new development.

1.3 Hallam control land to the west of Southbourne, to the north of the A259 and south of the railway line. Development of this land for new housing including specialist elderly accommodation, as shown in the accompanying Vision Document, would be consistent with the established Spatial Strategy; which is rightly retained in the consultation document. Similarly, development would contribute towards meeting the future housing needs of the District within the proposed Broad Location for Development (BLD) at Southbourne.

1.4 These Representations set out our support for the BLD drawn on the key diagram to the west and east of Southbourne. However, Hallam are seeking amendments to Policies S1, H1, H2, H8 and A13 to ensure that: the overall housing needs are met across the District, including early delivery and specialist accommodation; the flexibility sought early in the Submission Plan, at Policy S2 and H1, is carried through to the strategic allocations and locations; and, the BLD is distributed to the west and east of Southbourne.

1.5 Moreover, Hallam are proposing the allocation of small and medium scale sites at Southbourne within the Local Plan, to enable early delivery of housing and infrastructure, with the land under their control a suitable site for this allocation. Should the Council not allocate these sites, then the strategic allocations/locations/policies need to be updated to reflect the requirement for the delivery of small and medium scale parcels which could form part of the larger sites.

1.6 In the context of the above, it is instructive to note that Chichester District has an older population than national average, which has been predicted to increase by 42% between 2021- 2039. The increasing need for specialist accommodation should be addressed through specific allocations within the Local Plan, rather than the proposed approach of Policy H8.

1.7 Our response is focused on the following matters:

- The Spatial Strategy, settlement hierarchy and the distribution of development across the District;
- The overall amount of new housing required within the new plan period;
- The need for specialist accommodation;
- The status of Southbourne and the role and function it plays; and
- The strategic allocation proposed at Southbourne in Policy AL13.

1.8 In preparing the Local Plan Review, the Council will need to ensure that it complies with paragraph 35 of the National Planning Policy Framework (NPPF) (2021) which sets out four tests to ensure the plan is 'sound'. These are as follows:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet needs from neighbouring areas are accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross- boundary strategic matters that have been dealt with rather than deferred, as evidenced by statements of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.9 We are mindful that the Government has recently published a consultation concerning potential amendments to the NPPF. Paragraph 1 of that consultation document indicates that the government is committed to "building more homes" whilst Paragraph 6 explains that the government "remains committed to delivering 300,000 homes a year by the mid-2020s".

1.10 In the proposed revisions, paragraph 1 makes clear that the NPPF provides "a framework within which locally-prepared plans can provide for sufficient housing and other development in a sustainable manner." At paragraph 60 the overall aim of a Local Plan is identified as meet[ing] as much housing need as possible with an appropriate mix of housing types to meet the needs of communities.

1.11 It is clear therefore that the potential amendments to the NPPF firmly intend that Local Plans, including this one, continue to provide a sufficient supply of housing land to meet identified needs.

## 2 Objectives and Spatial Strategy

### Objectives of the Local Plan

2.1 The Submission Plan has identified key challenges and opportunities that influence future planning, across the three areas of the District, and how it aims to address these through planning policies and proposals.

2.2 Within the consultation document, the strategic objectives presented by the Council are structured into specific categories, ensuring housing and neighbourhood objectives are clearly set out for the plan period.

2.3 Amongst these is the objective to increase housing supply; increase provision of affordable housing; and promote the development of mixed, balanced and well-integrated communities. These are consistent with the NPPF's policy objective to significantly boost the supply of housing in paragraph 60. In this context, it is right that the Local Plan's development strategy is founded on this objective, ensuring sustainable development which responds to social, economic and environmental considerations that meets the needs of the plan area.

2.4 These objectives frame the policies and proposals for future development across the plan area to create sustainable neighbourhoods; this demonstrates, as a matter of principle, that the Local Plan intends to be positively prepared and justified, albeit there are limitations on how this is achieved in practice when the policies and proposals are considered.

2.5 The NPPF states at paragraph 22 that strategic policies should look ahead over a minimum 15 year period from the date of the Plan's adoption. The Local Plan aims to cover the period of 2021- 2039, which is 18 years. However, this plan has not been adopted yet and it is considered unlikely that this Local Plan will be adopted before 2024-25. Therefore, the Plan may not cover the required plan period of 15 years and the Council should extend the plan period to at least 2040 to ensure this requirement is met.

### Policy S1: Spatial Strategy

2.6 The Spatial Strategy is accompanied by the Key Diagram (Map 3.1), identifying the distribution of development and infrastructure provision across the plan area.

2.7 The strategy aims to build on the existing Local Plan, focusing growth at Chichester city, as the main sub-regional centre, and at two settlement hubs along the east-west corridor at Tangmere and Southbourne.

2.8 Policy S1 specifically identifies the broad approach to providing sustainable development, in accordance with the Local Plan Objectives, ensuring development is focused principally along the east-west corridor. It aims to distribute development in line with the settlement hierarchy, ensuring

development is located in the larger and more sustainable settlements.

2.9 This accords with paragraph 20 of the NPPF which requires strategic policies to set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for housing, infrastructure, community facilities along with policies that seek to conserve and enhance the environment.

2.10 Paragraph 105 of the NPPF states that the planning system should actively manage patterns of growth in support of these objectives. With significant development being focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

2.11 Paragraph 69 of the NPPF sets out how small and medium scale sites can make an important contribution to meeting the housing requirement. Part d) identifies how working with developers to encourage the sub division of large sites could help to speed up the delivery of homes.

2.12 In this context, Policy S1 (6) outlines how non-strategic provision is made for small scale housing developments consistent with the indicative housing numbers set out in Policy H3, however this does not identify an approach to medium scale sites. Consequently, the Local Plan should allocate small and medium scale sites for residential development.

2.13 Should the Local Plan not allocate these scale sites, then there should be parcels within the BLDs identified as medium scale sites for early delivery in the plan period without prejudicing the BLDs. Policy S1 should be amended to include medium scale sites and to require flexibility to the housing target. This is discussed further in respect of Policy A13.

2.14 Policy S1 (7) states that strategic allocations and locations will be made through either this emerging Local Plan, the extant Site Allocation Development Plan 2014-2019 (or subsequent Site Allocation Development Plan Document (DPD)) and through Neighbourhood Plans. Notwithstanding the allocations in the emerging Local Plan, the most appropriate future mechanism is the Site Allocations DPD, which has to meet the 'tests of soundness' rather than 'basic conditions'. This more rigorous approach to plan making is better able to address the site selection process and assessment of delivery requirements that a strategic allocation will need to demonstrate, particularly when taking account of the scale of growth proposed at Southbourne.

2.15 Lastly, the final paragraph of Policy S1 states that to ensure that the Plan's housing requirement is delivered, "the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in accordance with this Strategy". The wording of this should be amended to state flexibility will be needed rather than may be needed, to ensure there is the ability to mitigate delays on allocations being brought forward by alternative proposals in order to meet the housing requirement over the plan period.

2.16 The use of the Authority Monitoring Report to control this is considered an acceptable approach, and policies A6 to A15 should reflect this requirement for flexibility. In practical terms, the LPA will need to consider performance in bringing forward and delivering large-scale development and enable alternative solutions where the required outcomes are not being achieved. This is discussed later in relation to Policy A13 specifically.

Policy S2: Settlement Hierarchy

2.17 The consultation document sets out a Settlement Hierarchy which is to serve as the framework for the Council to achieve its vision for the plan area, meet the scale of development required and enhance the quality of the built natural, historic, social and cultural environments, whilst sustaining the vitality of communities. This hierarchy seeks to deliver sustainable development that will support the role and function of different places within the plan area.

2.18 In this regard, Policy S2 is consistent with the NPPF acknowledging how "significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, improve air quality and public health." (paragraph 105 refers). The Settlement Hierarchy ensures that new development is located in areas where residents have access to facilities and services and a range of public transport networks.

2.19 Chichester city is identified as the Sub-Regional Centre, with four Settlement Hubs being identified at East Wittering/Bracklesham; Selsey; Southbourne and Tangmere. This is a continuation of the existing spatial strategy in the Adopted Local Plan and consistent with the principle of locating new development at the most sustainable locations.

2.20 Southbourne is rightly identified as a Settlement Hub due to its range of local services and facilities, key public transport connections and employment/educational opportunities accessible via non vehicular methods of travel. The approach to Southbourne is discussed later at Section 4 and at Policy A13.

2.21 Accordingly, this strategic policy is positively prepared and justified, and is consistent with national policy promoting sustainable patterns of development.

### 3 Overall amount of Housing

#### Policy H1 Meeting Housing Needs Housing Need

3.1 Paragraphs 60 and 61 of the NPPF state that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.

3.2 Only in exceptional circumstances could an alternative approach be justified. But even then, that alternative approach will also need to reflect current and future demographic trends and market signals.

3.3 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan period, amounting to 575dpa.

3.4 This is lower than both a. the standard method figure of 638 dpa; and, b. the Preferred Approach figure in the previous consultation, of 650 dpa which included accommodating some unmet need arising from the South Downs National Park (SDNP) area. This shortfall will amount to over 1,100 dwellings across the plan period. Without any Statements of Common Ground being published by the Council or evidence of the shortfall being accommodated elsewhere, this remains unaddressed.

3.5 It is highly germane that the current Local Plan adopted a lower housing figure than the identified need of 505dpa, proposing instead to deliver 435dpa.

#### Affordability in Chichester

3.6 The affordability ratios have risen from 12.38 in 2015, when the current Local Plan was adopted, to 14.61 in 2021 for Chichester, which is significantly higher than the current 9.1 national average, increasing the need for affordable housing within Chichester.

3.7 Between the 2011 and 2021 census, the number of people ages 50 to 64 years rose by over 3,100 (an increase of 13.4%), while the number of

residents between 35 and 49 years fell by approximately 1,900 (8.5% decrease).

3.8 Chichester's worsening affordability ratios and aging population, which typically occurs in line with house price increases, demonstrate the clear need to increase the housing delivery to meet current and future needs (in line with the NPPF), and maximise the potential for housing in this District. The current strategy to suppress housing provision will only exacerbate these problems.

3.9 With the Submission Plan proposing to not meet the identified need, this once again will be an issue which moves onto the next Local Plan, failing to tackle key issues across the District such as affordability and lack of housing land supply. These issues cannot simply be moved onto the next Local Plan, they should be addressed now.

#### Constraints for development

3.10 The lower figure of 575dpa reflects both the infrastructure constraints along the A27 and at the

Waste Water Treatment Works, but also no longer accommodating unmet need from SDNP.

3.11 The Transport Study (January 2023) assesses the capacity levels, with particular focus on the A27. Although the Council state that 535dpa is the highest level of development per year achievable, the conclusions of this latest Study state, at paragraphs 5.6.5 and 11.2.3, that development of 700 dpa could be accommodated (in the southern plan area) through the mitigation proposed in the previous scenario of 535dpa with some additional mitigation at the Portfield and Oving roundabout.

3.12 This Transport Study (2023) was published following the preparation of the Sustainability Appraisal which refers to the 2018 study, therefore the latest evidence on highways matters has not been considered within the preparation of this Local Plan.

3.13 This is fundamental to the Plan's approach – increasing the housing requirement could assist with funding those additional highway improvements, in line with the recommendations of the Transport Study at Section 9.3 to prioritise junctions to avoid delays to housing delivery. This should be further reviewed by the Council to ensure the District's need is not being understated. It is recommended the housing need figure is reviewed in line with this evidence and the need to meet the minimum of the standard method figure of 638dpa, and aim to return to the 650dpa previously proposed.

#### Duty to Co-Operate

3.14 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

3.15 The East Hampshire Local Plan Review has identified 100dpa for the SDNP area of the District, below the identified need of 112dpa for the District's area and the overall requirement of 447dpa for the SDNP (Housing and Economic Development Needs Assessment 2017). In effect, in combination with Chichester, the National Park is needing to accommodate some 30 more dwellings per annum without any assessment as yet as to whether this can be achieved given the statutory protection that is afforded to it.

3.16 Whilst a Statement of Common Ground is referred to, it has not been published and therefore it is not possible to determine whether the decision not to make a provision for the National Park area is soundly based.

3.17 Previous evidence for the Preferred Approach demonstrated how the figure of 650dpa was achievable and necessary to help with the worsening affordability ratios across Chichester and the neighbouring authorities. Having removed provision for unmet need it is considered this plan has not been positively prepared.

#### Summary

3.18 Policy H1 clearly sets out how the majority of housing is to be delivered along the east-west corridor, with 535dpa in the southern plan area and 40dpa in the northern plan area. This is consistent with the Spatial Strategy and the Settlement Hierarchy, Policies S1 and S2, and the overarching objective of locating new housing at the most sustainable locations in the plan area.

3.19 By limiting the amount of housing there will be fewer schemes contributing to the required infrastructure improvements. Without developer contributions to fund wholesale upgrades to this infrastructure there is a risk of pushing the problem down the line for the next Local Plan to address, whilst problems with affordability and an aging population are further exacerbated.

3.20 All future schemes will be required to mitigate their impact on infrastructure including highways and utilities, and there is an opportunity for small to medium scale sites to be delivered in the short term whilst the larger allocations and/or the majority of the larger allocations await the upgrading of these works.

3.21 Currently, the proposal to reduce the overall housing supply for the new plan period is not supported, and the Council should review the Transport Study with the intention of meeting the assessed level of local housing need in full. Without the identified housing requirement being met in full the problem of the younger population being unable to afford to remain in Chichester will continue, further growing the gap in workforce and an increasingly aging population.

3.22 Therefore, this policy is not positively prepared, justified or consistent with the NPPF.

#### Policy H2 Strategic Locations/Allocations 2021-2039

3.23 The wording of 'at least' within Policy H1 provides flexibility on the ability to achieve the minimum amount of housing considered necessary by the Council, in line with Policy S2. Although this quantum is not agreed, the approach using 'at least' is considered a sensible approach to allow the achievement rather than under delivery of much needed open and market housing.

3.24 The strategic locations/allocations set out in Policy H2 do not reflect this flexible approach. Instead, the sites are fixed as exact number of dwellings for those locations.

3.25 Paragraph 119 of the NPPF requires planning policies to promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

3.26 Policy A13 is a BLD and is fixed at 1,050 dwellings within Policy H2, this does not allow for the masterplanning approach to further assess the actual capacity and the best use of this land.

3.27 As such flexibility should be embedded into the wording of Policy H2 to ensure that the intention of Policy S2 is achieved; the housing target of at least 10,350 dwellings across the plan period (Policy H1) is met; and the land identified for development is most effectively used.

3.28 Therefore, it is suggested that Policy H2 includes the wording “at least” before the quantum of development for any strategic location or allocation. For example, Policy A13 would instead state “at least”.

Policy H8 Specialist accommodation for older people and those with specialised needs

3.29 National Planning Practice Guidance for Housing for Older and Disabled People states how plan-making authorities should set clear policies to address the housing needs for groups with particular needs such as older and disabled people.

3.30 The Housing and Economic Development Needs Assessment (HEDNA) (April 2022) assesses the period between 2021-2039 for older people and those with a disability.

3.31 This concludes that there will be a 42% increase in the population above 65 years old, amounting to 67% of the total population growth.

3.32 The HEDNA sets out how the East-West Corridor has a higher percentage of over 65 year olds (24.7%) compared to both Chichester City (24.2%) and the Plan Area North area (23.4%).

3.33 The needs arising from this, amounts to between 2,131 and 2,872 additional dwellings with support or care, and a need for 429-800 additional nursing and residential care bedspaces. This equates to approximately 17-24% of all homes needing to be some form of specialist accommodation for older people.

3.34 In this context, the HEDNA makes an important recommendation that the Council allocate specific sites for housing with care to ensure the identified needs are met. In contrast Policy H8 is a criteria based policy that seeks specialist accommodation for older people on housing sites over 200 units based on evidence of local need.

3.35 As written, there is no confirmation on the quantum of specialist accommodation that this policy or other site allocations will secure and how the specific need for each application is calculated. Policy H8 fails to address the identified overall need clearly, as required by National guidance. Therefore, it is recommended the Local Plan allocates sites to deliver this type of accommodation as intended by the HEDNA.

3.36 This approach risks the land on these sites being unable to deliver both the expected market/affordable housing and the specialist accommodation on site.

3.37 The land under Hallam’s control would be a suitable site for this type of accommodation, which is situated along the east-west corridor in a sustainable location on the edge of Southbourne.

#### 4 Southbourne

4.1 Southbourne is a key area in the District, in terms of existing development, its status as a Settlement Hub and its potential to accommodate future development.

Role of Southbourne

4.2 Southbourne is identified as a Settlement Hub within Policy S2.

4.3 Southbourne is located within the east-west corridor with a range of existing facilities, good transport links, and employment opportunities both to the east and the west.

4.4 As set out in the Submission Plan, Southbourne has good access to educational facilities serving the residents, including primary schools, junior schools and secondary schools. There are a number of convenience stores and other community services and facilities such as a GP practice, pharmacy and places of worship.

4.5 The Bourne Community Leisure Centre provides local residents with access to community sports facilities. Access to public open space is also good through connections to Southbourne Recreation Ground. There is potential for more open space to be provided for local residents within the Local Plan Review and the strategic allocation proposed and this approach is embedded within our own Vision Document.

4.6 A key focus of the Sustainability Appraisal and the Submission Plan is for schemes to promote a modal shift in transportation. The strong public transport links within Southbourne to the wider surrounding area allows access to employment opportunities within the east-west corridor. Southbourne has strong public transport connections to the local and wider area, through bus and train services, to areas including: Chichester, Portsmouth, Havant, Littlehampton, Brighton, Southampton and London.

4.7 For these reasons, Southbourne is rightly designated as a Settlement Hub and is eminently suitable to serve as a BLD.

4.8 The Southbourne Level Crossing Report May 2021 analyses the options for delivering the railway crossing at Southbourne. It concludes that circa 750 dwellings can be delivered north of the railway line before triggering the requirement for a new crossing. The report highlights how sites south of the rail line are not likely to impact on the level crossing and can therefore be delivered earlier than await the railway line improvements.

4.9 Therefore, in this context it would be appropriate to allocate small and medium scale sites to the south of the railway, which is less constrained by the capacity restriction on the railway crossing.

4.10 The land under Hallam’s control is to the south of the railway line, would help facilitate a future new railway crossing to the north of the site, and would be of a medium scale to deliver housing early in the period plan.

Strategic Allocation A13

4.11 The Key Diagram appears to suggest that new development is to be located to the west and east of Southbourne, remedying the previously unsuccessful approach of focusing development only to the east. Similarly, the Key Diagram acknowledges the need for development to the south of the railway line, facilitating development north of the railway line. It is recommended the wording of the policy should be updated to reflect this diagram, as suggested below:

Provision will be made for a mixed use development within the broad location for development to the west and east of Southbourne, as shown on the Key Diagram.

4.12 Previously, the Preferred Approach consultation document set out at Policy AL13 a minimum of 1,250 dwellings at Southbourne and to be identified in the revised Southborne Neighbourhood Plan. (emphasis added)

4.13 The Submission Plan now allocates Policy A13 for 1,050 dwellings and will be established through the making of allocation(s) in the future Site Allocation DPD or the revised Southbourne NP. This strategic allocation is to act as a mixed use extension to the existing settlement.

4.14 It is acknowledged that the land north of Cooks Lane (Application number: 22/00157/REM) received Reserved Matters approval in August 2022 for 199 dwellings, with the reduction in quantum of development for the BLD reflecting this committed development. A practical effect of this is that this consent will not contribute to the wider infrastructure requirements associated with a larger scale of development.



4.15 It is disappointing to see the phrase “a minimum of” has been removed. This conflicts with the flexibility set out earlier in the consultation document, and also reduces the potential of making effective use of the land for housing that will assist in meeting the overall need of the District.

4.16 Policy A13 prescribes a number of requirements that must be met (criterion 1 – 16). These are considerations that reflect principles of place making and sustainable development and provide a sound framework for the preparation of the allocation through either mechanism.

4.17 One of these requirements states that future development “Provide[s] any required mitigation to ensure there is no adverse impact on the safety of existing or planned railway crossings.” The existing Southbourne Neighbourhood Plan, at Objective 9, outlines the issues relating to the railway crossing and the plans for addressing this challenge in the future.

4.18 Related to this is the need for the provision of “suitable means of access to the site(s), securing necessary off-site improvements (including highways) ... to promote sustainable transport options.”

4.19 The combination of the requirements relating to the railway crossing and the provision of a suitable means of access show the importance of accessibility to the A27, A259 and the east-west railway line, which are the principal public transport corridors for Southbourne.

4.20 Development will be well connected to Southbourne via footway and cycle connections to the east and offers the opportunity to help realise the construction of a new strategic road and bridge link over the West Coastway Rail Line through provision of land and proportionate contributions to this scheme.

4.21 Criteria 13 ensures there will be sufficient capacity within the relevant wastewater infrastructure before the delivery of development, which addresses (for Southbourne) the identified constraints for the District in relation to housing delivery.

4.22 The remaining requirements of Policy A13 cover the quality and range of development, the provision of education, community and transport facilities, provision of public open space and green infrastructure, and the impact of development on the landscape. These are each appropriate considerations for the Site Allocations DPD.

4.23 Having regard to the above, the allocation of 1,050 dwellings for Southbourne is, in part, appropriate.

4.24 However, this policy should allow for the delivery of small or medium scale parcels of land, in accordance with the NPPF at an early stage of delivery of the wider allocation to enable prompt and timely housing at Southbourne whilst infrastructure upgrades are commenced. The Local Plan should identify and allocate these smaller scale sites to ensure these can come forward early in the plan period.

4.25 A new criteria is proposed to be included in the wording of Policy A13, stating:

(17) To identify land for early delivery on small to medium scale sites which are not constrained by the need for a new railway crossing.

4.26 Therefore, the principle of a strategic allocation for mixed use housing is considered appropriate but amendments should be made to the wording of the policy to reflect the approach to flexibility, the inclusion of small and medium scale sites, and the dispersion of development to both the west and east of Southbourne.

Southbourne Neighbourhood Plan

4.27 As set out in the paragraph 10.56 of the Submission Plan, development phasing is a key issue to address through the allocation of development sites for this BLD.

4.28 Paragraph 70 of the NPPF states that “Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites suitable for housing in their area.” Southbourne Parish Council should be aware of this when allocating the strategic sites, to ensure that there are a mix of housing sites, that could come forward sooner than the principal element of the larger strategic site.

4.29 Through the preparation of the Neighbourhood Plan, the Parish Council should take into account the allocation of smaller sites, which could come forward as part of and alongside the larger strategic site. This will ensure that there is not a delay in the provision of housing within Southbourne and the plan area.

4.30 As set out previously, the most suitable mechanism for progressing the Southbourne BLD would be the Site Allocation DPD. Whether the sites are allocated through the Site Allocations DPD or the NP, there is a requirement to identify small and medium scale site.

Land to the north of Gosden Green

4.31 The land under Hallam’s control to the north of Gosden Green, should either be allocated in the Local Plan as a medium scale site or should be a key component of the BLD. The site can deliver both market/affordable residential units and specialist elderly accommodation. The site will create flexibility in achieving the housing requirement of the plan area early on in the plan period.

4.32 The accompanying Vision Document demonstrates how as an early development parcel for the wider BLD, a series of key benefits in accordance with the 13 criteria of Policy A13 will be achieved.

4.33 The Proposed Submission Plan at Policy H8 identifies the need for specialist accommodation for older people and those with specialist needs. Although not set out in the Vision Document, this site can deliver, early in the plan period, much needed specialist elderly accommodation.

4.34 Figure 3 of the Vision Document presents the scheme’s ability to connect into a wider masterplan for the strategic development, as it comes forward in the future. However, at the same time has the ability to come forward at an earlier rate being physically unconstrained and a well contained parcel of land.

4.35 Figure 9 provides context on connectivity, and the modal shift this scheme aims to achieve. The ability to walk to a range of services and facilities, including the train station further demonstrates the ability for the early delivery of this parcel of the BLD.

4.36 The impact of the highways network has been assessed for both a full residential scheme and specialist elderly housing, highlighting how the residential scheme will introduce approximately 55 new vehicles to the network at peak times, resulting in less than 1 car per minute in the peak hour. Either scheme will have a negligible impact on the highway network and would have a negligible impact on A27.

4.37 The site is to the south of the railway line, as previously mentioned, and would be unconstrained by the capacity constraint of the existing railway crossing.

4.38 For these reasons, the land under Hallam’s control should be allocated within the Local Plan.

## 5 Conclusion

5.1 These representations are submitted on behalf of Hallam Land Management Limited.

5.2 In the context of national, local and neighbourhood planning policies, the Local Plan has an important role in providing policies and proposals for residential development to meet future needs.

5.3 The proposed objectively assessed need for housing across the plan area is not agreed, and the Council should review the latest transport evidence which currently do not demonstrate how there are exception circumstances, in accordance with paragraph 62 of the NPPF. The Council should also extend the plan period to ensure it meets the requirements of a minimum of 15 years in the NPPF.

5.4 Consistent with the established strategy to focus development in the District's east-west corridor, the Broad Location for Development to Southbourne as a Settlement Hub is, as a matter of principle, a sound proposition. Importantly the Key Diagram identifies the broad location for this development to the west and east of the settlement.

5.5 As discussed, there should be flexibility embedded into all strategic allocations, in particular those which are Broad Locations for Development through the use of the wording "at least". This will ensure that the "at least" quantum of housing delivery is met and affords flexibility to all housing sites coming forward.

5.6 The responsibility for allocating additional development land to meet this requirement has been given to either the Parish Council through the preparation of a new Neighbourhood Plan or through the Council reviewing the Site Allocations DPD. It is recommended that for the larger strategic allocations and locations the Site Allocations DPD is the more suitable mechanism for identifying land given the need to ensure that proposals are sound.

5.7 Whilst the scale of development proposed is strategic in nature, it is entirely appropriate to consider how different development parcels might contribute towards that and in particular early opportunities that facilitate larger scale development later in the plan period.

5.8 To this end, land to the west of Southbourne and south of the railway line could be allocated as the first phase of the strategic site allocation, as a medium size site, so that this southern section of the new link road is built to enable access to land to the north. This will reduce the pressure placed on the centre of Southbourne, the highway capacity on the A27, and the existing railway crossing.

5.9 By allocating small to medium scale sites in the Local Plan, this will bring forward development at a quicker pace and ensure that the objectively assessed needs for housing across the plan area are met each year. These can be delivered without prejudice to the larger strategic allocations and locations.

5.10 Currently, the Submission Plan fails to address the increasing need for specialist accommodation, with Policy H8 failing to secure specific delivery of such housing, instead moving this matter into major development schemes with no mechanism for assessing need at that stage. It is recommended that the Local Plan allocates sites for specialist accommodation.

5.11 Hallam control land to the west of Southbourne, which adjoins the land at Gosden Green which has already been built. The land controlled by Hallam could be: allocated as a medium scale site within the Local Plan; included as part of the western strategic allocation of Broad Location for Development at Southbourne; or could be allocated for specialist elderly accommodation, ensuring land is readily available for development early in the plan period to address identified needs.

5.12 This would be consistent with the development strategy for the Plan and positively contribute towards meeting future development needs of the plan area.

5.13 These representations have demonstrated that in part the Submission Plan has been positively prepared and justified, however the key recommendations in these Representations should be followed to ensure the plan preparation accords with Paragraph 35 of the NPPF.

#### Change suggested by respondent:

It is suggested that Policy H2 includes the wording "at least" before the quantum of development for any strategic location or allocation. For example, Policy A13 would instead state "at least".

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sgn>

Vision Document - <https://chichester.oc2.uk/a/sgy>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mr Stuart Gordon [7991]

#### Summary:

Far too many homes in unsuitable locations such as Loxwood. There is not enough infrastructure to support the volume of housing proposed. No allowance appears to have been made for the already disproportionate development already dumped on the area already.

#### Full text:

Far too many homes in unsuitable locations such as Loxwood. There is not enough infrastructure to support the volume of housing proposed. No allowance appears to have been made for the already disproportionate development already dumped on the area already.

#### Change suggested by respondent:

Housing to be built in urban areas and not on green belt/green fields

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC consultation information leaflet 14.03.23.pdf - <https://chichester.oc2.uk/a/s6q>

**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Mrs Jan Carter [7992]**Summary:**

Plan does not comply with current and future government strategies, bear no relation to infrastructure of Loxwood ignoring lack of transport via public services, one bus per day, four days per week, limited employment, resulting in increase in car transport to work either to Guildford, Billingshurst, Horsham. 1 village school, GP practice at capacity no room for expansion. Lack of sewage capacity already resulting in private sewage for 2 new housing estates. Environment totally ignored, wildlife corridors destroyed, no protection of current wildlife habitats and degradation of existing bridleways and footpaths

**Full text:**

Plan does not comply with current and future government strategies, bear no relation to infrastructure of Loxwood ignoring lack of transport via public services, one bus per day, four days per week, limited employment, resulting in increase in car transport to work either to Guildford, Billingshurst, Horsham. 1 village school, GP practice at capacity no room for expansion. Lack of sewage capacity already resulting in private sewage for 2 new housing estates. Environment totally ignored, wildlife corridors destroyed, no protection of current wildlife habitats and degradation of existing bridleways and footpaths

**Change suggested by respondent:**

Plan is totally unsuitable for Loxwood and should not expand the existing planned sites in the LDP.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Mrs Elizabeth Lancaster [8002]**Summary:**

Loxwood is not a service village. The Post Office has closed, the village shop has closed, there is one bus a day on four days a week. The nearest railway is 6 miles away with no bus connection. The local roads are incapable of taking the increased traffic being considered and the sewage system is inadequate for the recently increased volume of houses built so is the water system with no possibility of improvement for years. You would be destroying our village/rural life and beautiful surroundings,

**Full text:**

Loxwood is not a service village. The Post Office has closed, the village shop has closed, there is one bus a day on four days a week. The nearest railway is 6 miles away with no bus connection. The local roads are incapable of taking the increased traffic being considered and the sewage system is inadequate for the recently increased volume of houses built so is the water system with no possibility of improvement for years. You would be destroying our village/rural life and beautiful surroundings,

**Change suggested by respondent:**

Remove Loxwood allocation.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Mr Roger Marshman [6655]**Summary:**

Looking at Loxwood. There is insufficient infrastructure for drainage, sewage, transport, retail, roads, schools, doctors etc. Southern Water is already spilling sewage into the river Lox. This area simply cannot support more housing.

**Full text:**

Looking at Loxwood. There is insufficient infrastructure for drainage, sewage, transport, retail, roads, schools, doctors etc. Southern Water is already spilling sewage into the river Lox. This area simply cannot support more housing.

**Change suggested by respondent:**

The number of houses needs to be reduced.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None

**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Mr David Carter [8005]**Summary:**

Plan totally ignores CDC's own comments re Loxwood with reference to impact on area if housing is increased including infrastructure, environment and site. Fails to address very limited - transport links, no shops/PO, employment opportunities requiring increased travel by car putting extra pressure upon one B road; 1 primary school with no room for expansion, as with a full Medical Practice. Serious current problems include no capacity for disposal of sewage and waste water for new housing. Totally ignores government legislation re preservation and development of environment for nature, wildlife and benefit to community and visitors.

**Full text:**

Plan totally ignores CDC's own comments re Loxwood with reference to impact on area if housing is increased including infrastructure, environment and site. Fails to address very limited - transport links, no shops/PO, employment opportunities requiring increased travel by car putting extra pressure upon one B road; 1 primary school with no room for expansion, as with a full Medical Practice. Serious current problems include no capacity for disposal of sewage and waste water for new housing. Totally ignores government legislation re preservation and development of environment for nature, wildlife and benefit to community and visitors.

**Change suggested by respondent:**

Loxwood Plans need to return to and adopt those proposed by the Parish Council. CDC should be working with the Parish Council to develop Loxwood in context to its current setting as an attraction and of benefit to the future not only for residents but in national and world terms for nature and wildlife. Currently has a wide range of wildlife covering the proposed area including bird life such as kites, buzzards, gold crest to protected species such as bats, badgers, dormice, amphibians to name but a few. CDC should be working with recognised groups such as CPRE, Woodland Trust, Wildlife Trusts, the Wey and Arun Canal to ensure the historical, physical and mental benefits can be appreciated and valued by residents and visitors alike for the future, not destroyed. The footpaths and bridleways are well used by individuals, walking groups, dog walkers, cyclists on a strong daily basis. The proposed housing would destroy this completely.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Bruce Frost [7339]**Summary:**

My wife and I strongly object to the building of 220 more houses in Loxwood due to the incapacity of the drainage system in the village which would be totally inadequate to cope with any more building houses. We have had numerous drainage problems since the existing new houses have been built in Loxwood.

We are currently dealing with a serious raw sewage situation which flowed and covered our garden, causing yet more distress.

Please check if you need to with Southern Water who constantly tell us that the sewers and drainage are not fit for any more housing.

**Full text:**

My wife and I strongly object to the building of 220 more houses in Loxwood due to the incapacity of the drainage system in the village which would be totally inadequate to cope with any more building houses. We have had numerous drainage problems since the existing new houses have been built in Loxwood.

We are currently dealing with a serious raw sewage situation which flowed and covered our garden, causing yet more distress.

Please check if you need to with Southern Water who constantly tell us that the sewers and drainage are not fit for any more housing.

**Change suggested by respondent:**

Cancel the plan completely

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None**Support****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Horsham District Council (Norman Kwan, Senior Neighbourhood Planning Officer) [8126]**Summary:**

Given the challenges that face Neighbourhood Planning groups in the preparation and delivery of Neighbourhood Plans, (which can potentially delay the delivery of these allocations), we support the identification of strategic sites in the Local Plan, programmed for delivery earlier in the plan period. As the delivery of strategic allocations requires significant infrastructure planning, including cross-boundary issues relating to the road network, education, healthcare and community facilities, Horsham District Council welcomes continued dialogue with the relevant stakeholders, to ensure development at strategic locations such as Loxwood are delivered in a timely manner and adhere to sustainable development principles. We have some specific concerns relating to strategic allocation policy A15: Loxwood which we have set out under that policy.

**Full text:**

Thank you for consulting Horsham District Council on the Chichester Proposed Submission Local Plan 2021-2039. We are grateful for the opportunity to be able to comment on your emerging plan. Overall, we consider that the plan has positively sought to balance the provision of future needs with other wider objectives in a manner that contributes to achieving sustainable development. I would also take the opportunity to reaffirm Horsham District Council's (HDC's) commitment to continued dialogue under the Duty to Cooperate and joint working between our two councils. We have a number of comments on the Proposed Submission Chichester Local Plan 2021 to 2039 to make on individual policies which we have set out below:

Policy S1 Spatial Development Strategy

We support this policy in principle, but consider it is not justified as stands. We note the spatial distribution in the plan period is split into three areas: East – West Corridor, the Manhood Peninsula, and North Plan area (which is the only part of Chichester district which directly adjoins Horsham district). HDC acknowledges Chichester District Council's position that it is not able to meet its entire identified local housing need of 638 dwellings per annum, given the constraints associated with the required upgrades to the strategic road network in order to facilitate growth, potential environmental

constraints and wider infrastructure restrictions. It is understood that National Highways requires a cap on growth due to the limited capacity of the A27. The proposed housing supply target is therefore 575 dwellings per annum.

HDC acknowledges and welcomes that significant effort has been put into identifying development capacity in a way that reflects the principle of positive planning. Nevertheless, the NPPF and PPG set a high bar for 'leaving no stone unturned' in respect of meeting development needs. We support that planned growth is directed to sustainable locations where access to local services and access to transport links are easier to access than remote rural areas. It is acknowledged Chichester City is the most populous settlement in the district as well as being most sustainable. We support that growth and future development should be focussed in the East-West Corridor, and in particular in or close to the City, first and foremost. We also acknowledge wider infrastructure deficiencies will need to be addressed in strategic locations before they can accommodate more growth.

We support your continued dialogue with National Highways to support improvements to the strategic road network and note a Statement of Common Ground (SoCG) will be published and updated as part of a continuous dialogue with National Highways. The SoCG is important as part of the justification for a lower housing supply figure and should transparently demonstrate why the constraints on the A27 will not allow higher growth in the East West corridor, in order to evidence that maximum housing needs have been achieved in the City and East West Corridor. This evidence is needed for HDC to inform its own DtC position with Chichester District Council (CDC).

Chichester District is planning below the standard methodology housing target and has therefore asked HDC if it can accommodate some of Chichester's unmet housing need. HDC has confirmed that we are not in a position to accommodate Chichester's unmet development needs because of our own water neutrality constraint. Furthermore, the primary housing market for Horsham District is the Northern West Sussex HMA, whose development needs are substantially driven by the Gatwick sub-region, and it is this HMA that would be prioritised with respect to meeting unmet development needs.

As a partner in the Sussex North Water Neutrality grouping also impacted by this constraint, CDC jointly owns the relevant evidence, and our two authorities share an ongoing commitment to work on this as our Duty to Cooperate dialogue continues. As ever, the latest position with regards to Water Neutrality and the impact on the delivery of housing and other development needs can be set out in a Statement of Common Ground (SoCG) between our two Councils.

#### Policy NE16 Water Management and Water Quality

We support this policy which is clear in its encouragement of efficient use of water as part of good management framework.

#### Policy NE17 Water Neutrality

Water neutrality is a significant issue affecting both our districts. Horsham District Council supports this policy which is derived from the joint work undertaken by Chichester District Council, Horsham District Council and Crawley Borough Council. We look forward to continued working with CDC on the development of the implementation scheme, in order to deliver the JBA Water Neutrality Assessment study. This will ensure all new development is in conformity with the Habitat Regulations and can demonstrate water neutrality.

#### Policy H1 Meeting Housing Needs

As outlined earlier in this response, we acknowledge that land supply in Chichester is constrained, and that CDC meeting the full housing requirement within its administrative boundary during the plan period up to 2039 would be challenging. Horsham District is not however in a position to accommodate any of Chichester District's unmet housing need because of water neutrality and, looking forward, the need to prioritise meeting unmet needs within our primary housing market: the Northern West Sussex HMA.

#### Policy H2 Strategic Locations/Allocations 2021 -2039

A significant proportion of CDC's housing supply will be delivered through strategic allocations. Loxwood (220 dwellings) is identified as a strategic allocation and will come forward through the local plan process, with some allocations anticipated to be delivered through local neighbourhood plans. Given the challenges that face Neighbourhood Planning groups in the preparation and delivery of Neighbourhood Plans, (which can potentially delay the delivery of these allocations), we support the identification of strategic sites in the Local Plan, programmed for delivery earlier in the plan period.

As the delivery of strategic allocations requires significant infrastructure planning, including cross-boundary issues relating to the road network, education, healthcare and community facilities, Horsham District Council welcomes continued dialogue with the relevant stakeholders, to ensure development at strategic locations such as Loxwood are delivered in a timely manner and adhere to sustainable development principles. We have some specific concerns relating to strategic allocation policy A15: Loxwood which we have set out under that policy.

#### Policy H11 Meeting Gypsies, Travellers and Travelling Showpeople's Need.

We note your position and your requirement to provide a number of pitches and plots for the travelling community during plan period. We support your policy position for intensification of existing pitches. Horsham District can't at this point in time accommodate any of CDC's unmet Gypsy, Traveller and Travelling Show people requirement as we are required to first address our own shortfall, and our evidence demonstrates that this alone will be challenging.

We have a body of evidence to support our position and we will continue to share our evidence with you as our Duty to Cooperate dialogue continues over the coming months. As ever, the latest position regarding Gypsy, Traveller and Travelling Showpeople will be set out in the Duty to Cooperate Statement of Common Ground between our two Councils.

#### Policy A15 Loxwood

We support this policy as it will contribute to meeting Chichester District's unmet housing need, but consider it is not justified as stands and that its effectiveness could be improved. The five villages in the north of the Plan area (Kirdford, Wisborough Green, Loxwood, Ifold and Plaistow) are classified as Service Villages in the emerging Chichester Local Plan. They provide a reasonable range of basic facilities (e.g. primary school, convenience store and post office) to meet the everyday needs of local residents, or are villages that provide fewer of these facilities but that have reasonable access to them in nearby settlements. Loxwood is the strategic site identified to accommodate 220 dwellings over the plan period.

The nearby settlement of Billingshurst, in Horsham District, is considered to be the nearest main settlement to the villages identified above. Given the limited facilities available / or to be provided as part of the Loxwood allocation, it is considered that new residents are likely to be reliant at least some key facilities in Billingshurst, potentially including the GP surgery, the railway station (and rail user car park), The Weald secondary school and sixth form, the library and the retail and community facilities, including the leisure centre. Within Horsham District, there are potential proposals for strategic scale extensions to Billingshurst / new settlements relatively close to Billingshurst. Whilst no decisions have been made with respect to our local plan, housing growth delivered through our own local plan will create potential impacts on existing infrastructure which is already under significant pressure.

We therefore require clear evidence that potential cumulative impacts on settlements in HDC have been considered as part of the proposed allocations. We would ask that CDC works collaboratively with HDC and other stakeholders to ensure future pressures on infrastructure in Horsham District is appropriately addressed. Consequently, we seek further clarification in Policy A15: Loxwood to emphasise the importance of collaborative working between stakeholders to mitigate against the potential cumulative impact of development.

I do hope these comments are helpful. I would like to emphasise that they are made in anticipation of further constructive dialogue between our authorities, and with an expectation that matters on which we have flagged concern can be readily addressed, and quite possibly eliminated through our Duty to Cooperate discussions. Should you require any further detail or information in regard to this response please don't hesitate to contact a member of my Strategic Planning team.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC Reg 19 Written Representation (16 March 2023) Redacted - <https://chichester.oc2.uk/a/shc>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Obsidian Strategic [7973]

**Agent:** Andrew Black Consulting (Mr Andrew Black, MD) [7597]

**Summary:**

There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan including:

The achievability of carried forward allocations for Land West of Chichester (A6) and Tangmere SDL (A14);

The effectiveness of the identification of the Southbourne Broad Location for Development (A13), the adequacy of justification for its trajectory, and lack of detail concerning delivery.

**Full text:**

I write in response to the regulation 19 consultation version of the Chichester Local Plan 2021/2039 on behalf of my client Obsidian Strategic.

Obsidian Strategic have an interest in a site to the South of Main Road, in Hermitage, within the Southbourne Neighbourhood Plan Area. Further details in relation to the site are set out within the appendices of these representations and referred to throughout.

**Housing Requirement**

The identified housing need for Chichester District Council (CDC) as calculated by the standard method is 638 dwellings per annum (dpa). However, the local plan only seeks to provide 575 dpa or a total supply of 10,350 over the plan period (2021-2039). As result the proposed strategy represents an under supply of 1,134 over the plan period. Furthermore, the undersupply means that CDC is unable to accommodate the unmet arising from the South Downs National Park.

In recent years CDC has not been able to demonstrate a five year housing land supply nor has it delivered housing against the requirements of the Housing Delivery Test. It is therefore important that the unmet need is made up within the early part of the plan period.

Paragraph 5.2 of the plan states that the under supply is due to constraints across the district particularly the capacity of the A27.

Policy H1 (Meeting Housing Needs) sets out the housing target of 10,350 dwellings to be delivered over the plan period 2021-2039. Considering the existing commitments, allocations and permissions this gives a remaining figure without planning permission of 3,056 homes for allocation in the Local Plan.

**Strategic Allocations**

Policy H2 of the reg 19 plan sets out the following strategic site allocations which are carried forward from the 2015 Local Plan:

**\*\*Table\*\***

Table 11 of the latest Annual Monitoring Report (AMR) (produced in November 2022) show the progress of delivery from these allocations:

**\*\*Table\*\***

Table 12 of the AMR sets out the progress of the large sites towards future delivery as follows:

**\*\*Table\*\***

The Housing Trajectory as set out in Appendix E of the Local Plan shows delivery of the existing allocations as set out under policy H2. Given that the Land at Shopwyke (A7) and the Land at Westhampnett/North-East Chichester (A9) already have permission for the number of dwellings in the allocation and construction has already started, there is no objection to the predicted levels of delivery as set out in the trajectory. However, the housing trajectory sets out delivery from the Land West of Chichester (Phase 2) (A6) and Tangmere SDL as follows:

**\*\*Table\*\***

Given that neither of these sites have outline permission then the delivery of units from both sites in a little over 5 years from the adoption of the plan is considered wholly unachievable.

CDC has presented no evidence to justify how this timeframe would be achieved and it is considered that the trajectory is unreliable as a result.

The Local Plan sets out a Broad Location for Development at Southbourne which would be delivered through either the Neighbourhood Plan process or a Site Allocation DPD:

**\*\*Table\*\***

The Housing Trajectory as set out in appendix E of the Local Plan sets out the following delivery from this site:

**\*\*Table\*\***

Given that policy A13 remains as a 'broad area for development' it is not considered that there is adequate justification for the trajectory as set out. Notwithstanding the effectiveness of allocating a site in this way, an exact location for the housing is yet to be defined, nor is delivery through the neighbourhood plan/DPD confirmed (further details on this is set out within the reps). Until a more detailed site can be defined and delivery confirmed it is not considered that CDC is able to guarantee delivery of dwellings in the housing trajectory as it has done so within the plan.

Non-Strategic Parish Housing Requirements

Policy H3 sets out the following housing requirements from individual parishes.

**\*\*Table\*\***

The supporting text of policy H3 sets out that if draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

Table 13 of AMR identifies that there has been historically poor delivery of net housing completions from parishes:

**\*\*Table\*\***

The overall strategy as set out by CDC in the plan is highly dependent on the delivery of housing from Neighbourhood Plan areas. Whilst this approach is not un-sound in itself, it is considered that the plan in its current form allows for little mitigation or alternatives should delivery not come forward in the neighbourhood plan areas.

In order for the plan to be considered positively prepared and justified it is recommended that additional wording is added to policy H3 to state that individual applications can come forward on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

Southbourne

As set out, the Local Plan proposes a 'Broad Location for Development' at Southbourne for the delivery of 1,050 dwellings. This approach follows the withdrawal of the previously draft version of Neighbourhood Plan after it was found not to comply with basis conditions following examination in early 2022. Southbourne Parish Council is now pursuing a revised Neighbourhood Plan which has been submitted to CDC for a regulation 16 consultation. Obsidian previously responded to the regulation 14 consultation in late 2022 and these are appended to these representations.

The revised Southbourne Neighbourhood Plan does not seek to allocate any new housing allocations and instead takes a protectionist stance against any new development as an interim position whilst the Local Plan is prepared. However, once the Neighbourhood Plan is made, it would form part of the development plan for CDC. It is highly likely that a made Neighbourhood Plan in the form currently proposed by Southbourne would make the allocation of additional housing in the parish less likely rather than more likely.

The Sustainability Appraisal (SA) as prepared for the regulation 19 of the Local Plan sets out the proposed approach to Southbourne as follows:

3.1. With the decision of Southbourne Parish Council to no longer proceed with the inclusion of a strategic allocation in their neighbourhood plan, the Council considered three options for taking forward development in Southbourne, namely:

- Option 1 - redistribute the housing number elsewhere
- Option 2 - allocate a strategic site
- Option 3 - identify a Broad Location for Development

The SA goes on to set out the reason for option 1, for redistributing the housing number elsewhere, being discounted as follows:

3.2. As set out in the Housing Background Paper, the preferred spatial strategy is to focus the majority of growth at Chichester and the east west corridor, with a focus on the Settlement Hubs within the corridor. To redistribute the housing number to other parts of the plan area would not be consistent with the preferred spatial strategy nor reflective of the role of Southbourne as one of the more sustainable locations in the plan area capable of delivering strategic scale development. The ability to redistribute the number to other locations within the east/west corridor is also severely limited due to infrastructure constraints (impact on A27 junctions) or environmental restrictions (wastewater treatment capacity). For these reasons, Option 1 was discounted.

Whilst it is accepted that the redistribution of the entire requirement of 1,050 homes would be problematic, it is considered that CDC should have tested the allocation of other alternative sites such as that at Main Road, Hermitage and other suitable alternative sites.

The SA goes on to set out consideration of option 2 as follows:

3.3. In order to allocate a site in a Local Plan, it needs to have gone through a rigorous process to ensure that the Council can demonstrate that the allocated site is suitable, given reasonable alternatives, and is based on proportionate evidence. Given there is more than one site or combination of sites that could come forward as an allocation in Southbourne, a clear process setting out for why one site was chosen over another would be needed, informed by site specific technical information.

This is correct and it is therefore not accepted that an approach to allocate a broad area for development would be robust, deliverable or effective. The SA goes on to state:

3.5. The allocation of a strategic site at Southbourne would also be a significant change in approach at a late stage of the Local Plan preparation process. The additional technical evidence that would need to be undertaken to justify a Local Plan allocation at this stage would impact significantly in terms of delay to the finalisation of the Regulation 19 Local Plan and its subsequent submission to the Secretary of State for examination. For these reasons Option 2 was discounted.

This provides further weight to the position set out within these representations that the expectation of delivery from the 'broad area' at Southbourne is overly ambitious and it is clear there is significant technical work to undertake on the delivery of homes from the allocation as part of the future plan making process.

The SA goes on to set out the justification of option 3 as follows:

3.6. The identification of a BLD is consistent with the National Planning Policy Framework (NPPF). Paragraph 68 states that for years 6 -10 of the plan, local authorities should through their planning policies identify a supply of 'specific, developable sites or broad locations for growth'.

3.7. There is no definition of 'broad locations' in national policy. It is generally taken to be an area within which housebuilding could reasonably be expected to take place based on the availability of land having regard to the Housing and Economic Land Availability Assessment (HELAA). A BLD does not have a specific geographic location or physical boundary. Areas are identified as broad locations because at that stage it is not yet possible to identify the precise boundaries of a site until further detailed site work has been done. By identifying a broad location gives flexibility and may increase the prospect of appropriate and effective growth i.e. where there is some doubt as to the most effective site boundary could prevent growth coming forward or prevent the most sustainable solution. However, a broad location might be expected to accommodate a significant amount of development; in some cases a single site may be of a sufficient size to accommodate all of the potential development or a number of sites that abut other sites may be considered together.

This is not considered a rational approach to take. Whilst there is no definition of 'broad location' within national policy it is considered that the words 'specific' and 'developable' must be taken at their basic meaning and indeed as set out in the glossary of the framework. It is not considered that the allocation of such a large area for a 'broad location' would be specific, effective or justified against the tests of soundness in the NPPF.

The allocation of Southbourne under policy A13 would represent over 10% of the total housing delivery in the plan. This is considered too significant to

leave to a broad location for development.

As set out, Southbourne Parish Council is already at advanced stages of a revised Neighbourhood Plan which does not include the allocation of any of the development parcel envisaged under policy A13. In terms of delivery through the Site Allocations DPD, the timetable for this is set out within the most recent Local Development Scheme (January 2023) which sets out the following:

**\*\*Table\*\***

As set out, the housing trajectory assumes delivery of dwellings from the allocation at Southbourne in 2028/29. Given that the Site Allocation DPD would not be delivered until Winter 26/27 at the earliest, and the delivery through the Neighbourhood Plan has been discounted by the progression of a NP without the allocation, then the deliverability of any development at Southbourne remains wholly unjustified within the plan period.

The SA goes on to set out the approach to alternative sites in Southbourne Parish as follows:

4.3. The 2021 HELAA assessed 41 sites in Southbourne Parish (see Appendix 1). Of these, 18 sites were discounted because the site either had planning permission/were under construction (five sites); it was within the Chichester Harbour Area of Outstanding Natural Beauty (AONB) (eight sites); there was insurmountable access issues (two sites); it was in Flood Zone 3 (one site); or there was a legal restriction on the site use (in this case a Section 106 Agreement restricting use to open space) (two sites). These sites were not considered further for inclusion within the BLD.

The land at Main Road was one of the sites discounted due to being located in the AONB. For the reasons set out within subsequent sections of these representation, it is not considered that it was necessary to discount sites within the AONB as other councils have taken the decision to use such sites to meet housing need and not considered the AONB as an absolute constraint.

Specialist Accommodation for Older People

Para 5.41 of the regulation 19 of the Plan sets out the following:

The Housing and Economic Development Needs Assessment (HEDNA) 2022 estimates the greatest population increase in the district by 2039 to be those in age groups 75 and over. To support an ageing population there should be provision of suitable housing options for the differing needs of individuals, including:

- Sufficient adaptable and/or accessible market housing stock so that those wishing to remain in their own homes can do so as their needs change.
- Smaller homes, for those wishing to downsize, and bungalows.
- Extra care housing, for those able to live relatively independently but requiring on-site support.
- Care homes, for those needing additional support.

Table 8.1 of the HEDNA sets out the current population breakdown for separate groups over 65 and demonstrates that CDC has a significantly higher percentage in all age groups over 65 than the average in West Sussex, the South East or England:

**\*\*Table\*\***

Policy 8.12 of the HEDNA goes on to set out the need for different groups as follows:

**\*\*Table\*\***

The HEDNA sets out the following commentary in this regard:

8.41 It can be seen by 2039 there is an estimated need for between 2,131 and 2,872 additional dwellings with support or care across the whole study area. In addition, there is a need for 429-800 additional nursing and residential care bedspaces.

8.42 Typically for bedspaces it is conventional to convert to dwellings using a standard multiplier (1.80 bedspaces per dwelling for older persons accommodation) and this would therefore equate to around 238-445 dwellings.

8.43 In total, the older persons analysis points towards a need for around 2,369-3,317 units over the 2021-39 period (132-184 per annum) – the older person need equates to some 17-24% of all homes needing to be some form of specialist accommodation for older people.

Given the significant need for Specialist Housing Accommodation across the district it is vital that this is planned for adequately within the emerging Local Plan. The Planning Practice Guidance sets out why it is important to plan for housing needs of older people as follows:

The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.

Paragraph: 001 Reference ID: 63-001-20190626 Revision date: 26 June 2019

The PPG goes on to state how housing requirements of such groups should be addressed in plans:

Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people.

These policies can set out how the planmaking authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.

Paragraph: 006 Reference ID: 63-006-20190626 Revision date: 26 June 2019

Policy H8 states:

All housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people to include a support or care component. The specific type and amount of accommodation required will depend on the size and location of the site.

Proposals for specialist housing, such as homes for older people, student, HMOs or essential worker accommodation, and other groups requiring specifically designed accommodation will be supported where the following criteria are met:

- 1) There is an identified need;
- 2) It will not lead to a concentration of similar uses in an area that would be detrimental to the character or function of an area and / or residential amenity;
- 3) It is in close proximity to everyday services, connecting by safe and suitable walking / cycling routes or public transport for the intended occupier;
- 4) It can be demonstrated that the development is designed to provide the most appropriate types of support for the target resident;
- 5) It can be demonstrated that revenue funding can be secured to maintain the longterm viability of the scheme (if relevant to the type of accommodation proposed); and
- 6) The scheme is supported by the relevant agencies (if relevant to the accommodation type to be provided).

Proposals which may result in the loss of specialist needs accommodation will not be permitted unless it can be demonstrated that there is no longer a need for such accommodation in the plan area, or alternative provision is being made available locally through replacement or new facilities.

Whilst this approach goes some way to addressing the care needs it is felt that the policy lacks effectiveness and should take a far more constructive and positive approach to the provision of housing for older people.

The wide range of different housing typologies is set out within the Planning Practice Guidance as follows:

- Age-restricted general market housing: This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.
- Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This



can include 24 hour on-site assistance (alarm) and a warden or house manager.

- Extra care housing or housing-with-care: This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.
- Residential care homes and nursing homes: These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes.

[Paragraph: 010 Reference ID: 63-010-20190626].

It is considered that a residential care home (including housing for dementia needs) could be developed on the Land South of Main Road without causing harm to the AONB and this would provide for a clear need within the village whilst also providing employment to local workers.

Development in AONB

The NPPF sets out the following in relation to development in the AONB at paragraph 172 as follows:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development<sup>55</sup> other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

Footnote 55 of paragraph 172 is relevant for the consideration of what is considered as major development and states:

For the purposes of paragraphs 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. No evidence is set out within the Local Plan or supporting evidence base to state what is considered to be a major development site in the district.

Neither the Chichester Harbour AONB: State of the AONB Report (May 2018) or the Chichester Harbour AONB Landscape Character Assessment (April 2019) contain any references to what is considered to constitute a major development.

This is a matter which has been considered at length within other Local Plan examinations. As part of the evidence for its Local Plan, the South Downs National Park sought successive legal opinions from James Maurici QC on what should be considered as 'Major Development' in the AONB and have subsequently become widely known as the 'Maurici Opinions' in other Local Plan examinations. The opinions set out the following conclusions:

- It is a matter of planning judgement to be decided by the decision maker.
- Major development is to be given its ordinary meaning, and it would be wrong to apply the definition of major development contained within the Town and Country Planning (Development Management Procedure) (England) Order 2015. It would also be wrong to apply any set or rigid criteria for defining major development, and the definition should not be restricted to development proposals that raise issues of national significance.
- The decision maker may consider whether the proposed development has the potential to cause a significant adverse impact on the purposes for which the area has been designated or defined, rather than whether there will indeed be a significant adverse impact from the proposed development.
- The decision maker may consider the proposed development in its local context as a matter of planning judgement.
- There may be other considerations but which may not determine whether a proposed development is major development. For example, if the proposed development is Environmental Impact Assessment (EIA) development.
- The ordinary sense of the word 'major' is important and the decision maker should take a common sense view as to whether the proposed development could be considered major development.

In the Mid Sussex District Council Site Allocations DPD Evidence Base there is a topic paper setting out consideration of Major Development in the AONB and concludes that several of the allocations, in some cases up to 70 dwellings, would not be classed as major development in the AONB following a detailed review of each of the factors as set out in footnote 55 of the NPPF against each proposed allocation.

It is considered that this approach should have been undertaken for each of the individual sites discounted in the Local Plan (including Main Road, Hermitage), rather than simply discounting on the sole fact that they were in the AONB.

Sustainability Appraisal

The legal frameworks for SAs are set out within section 19 of the Planning and Compulsory Purchase Act 2004 which states that the authority must prepare a plan with the objective of contributing to the achievement of sustainable development. Moreover, the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 states that SAs must ensure that the potential environmental effects are given full consideration alongside social and economic issues.

It is not considered that the council has given full consideration to all effects nor are the conclusions of the SA in respect of those impacts robust and logical.

Paragraph 32 of the framework goes on to state that the SA should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

The SA sets out whether it was reasonable to explore higher growth scenarios as follows:

5.2.12 As discussed above, the PPG on Housing and Economic Needs Assessment sets out reasons for providing for 'above LHN' through local plans, referring to situations where there are "growth strategies for the area... (e.g. Housing Deals); strategic infrastructure improvements that are likely to drive an increase in [need]; or an authority agreeing to take on unmet need from neighbouring authorities..." Also, affordable housing needs can serve as a reason for considering setting the housing requirement at a figure above LHN, with the PPG stating: "An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes."

5.2.13 However, in the Chichester context there is little or no argument for exploring scenarios whereby the housing requirement is set at a figure above LHN, given the issues discussed above at paragraph 5.2.11. Unmet housing needs are a widespread issue across the sub-region, but there is no realistic potential to provide for unmet housing needs within Chichester. At the time of the Preferred Approach consultation (2018/19), the proposal was to provide for both locally arising housing needs in full and a proportion of the unmet needs arising from the SDNP (41 dpa). Also, it is noted that the SA report published as part of the consultation considered scenarios – considered to be 'reasonable' at that point in time – that would see the housing requirement set at figures significantly above LHN (800 dpa and 1,000 dpa were tested). However, at the current time, in light of the latest available evidence, scenarios involving setting the housing requirement at a figure above LHN can be safely ruled out as unreasonable.

It is not considered that a figure at or above the LHN would be considered unreasonable and that this matter has not been given full consideration (as per the requirements of the SA regulations), particularly in regard to the social impacts of not meeting housing need in full.

Appendix V of the SA sets out commentary in regard to Parish Scenarios. This sets out the following in relation to Southbourne (with emphasis added):

With regards to the extent of the broad location, this matter is considered fairly uncontroversial (for the current purposes of arriving at reasonable growth scenarios). Specifically, the proposal is to identify an area of search that includes developable HELAA sites that relate relatively well to the Southbourne settlement edge and avoid the Strategic Wildlife Corridor associated with the Ham Brook, also naturally mindful of the need to maintain a landscape gap to settlements within Chidham and Hambrook Parish, to the east. It is important to note that the total theoretical capacity of developable HELAA sites within this broad area is far in excess of the number of homes that would need delivered under any reasonably foreseeable scenario.

The broad location provides flexibility to identify a detailed allocation either through a Site Allocations Plan or, should the Parish Council wish to do so, a revised Southbourne Parish Neighbourhood Plan. Site selection considerations will likely include: transport and access (including mindful of links to the train station and by car to Portsmouth); accessibility and community infrastructure (mindful of the secondary school, recreation ground and employment area at the western edge of the village); heritage (e.g. there is a historic rural lane to the east, associated with two listed buildings), topography and landscape (including any visual links to the SDNP and/or the AONB) and the potential to secure a strategic scheme that delivers more than just new market homes, and potentially significant 'planning gain' for the local community.

With regards to the number of homes that should be supported, there is logic to further exploring the scale of growth that was previously considered through the now withdrawn Southbourne NP, and it is not clear that there is an argument for considering lower growth. Additionally, there is a clear argument for exploring the possibility of higher growth, to ensure a suitably comprehensive scheme, with a high level of 'planning gain'.

In conclusion, there are two scenarios for Southbourne Parish, namely completions, commitments and windfall plus either: 1) a broad location for 1,050 homes; or

2) a broad location for ~1,500 homes.

As set out, it is not considered that the SA has considered adequate reasonable alternatives to growth at Southbourne which would include allocation of sites elsewhere in the village including within the AONB that can deliver in the early part of the plan period.

#### Conclusions

There are significant concerns on the soundness of the plan in terms of whether it is effective, justified, positively prepared or consistent with national policy in accordance with paragraph 35 of the NPPF.

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

The Council has not adequately considered reasonable alternatives through the Sustainability Appraisal as published alongside the plan which should have included consideration to the allocation of the site in order to deliver housing in the early part of the plan period.

The plan fails to adequately consider the need for housing for older people, given that the population over 65 across CDC is significantly in excess of the average in the county, south east and county as a whole.

CDC discounted all sites within the AONB, including the site at Main Road, Hermitage, at an early stage of the plan making process. This is not considered effective or consistent with national policy which does not class such sites as an absolute constraint. Other local authorities have allocated such sites in order to deliver the full objectively assessed needs.

ABC will continue to make further representations on the deliverability of the site as part of the plan making progress.

#### Change suggested by respondent:

-

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: CDC Regulation 19 - Andrew Black Consulting - obo Obsidian - redacted - <https://chichester.oc2.uk/a/trf>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

#### Summary:

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Comment regarding impacts.] The proposed developments are dispersed along the A27 corridor from Hermitage to the west of the city through to Tangmere in the east.

We note that this has the potential to put pressures and traffic impacts on multiple A27 junctions rather than just one or two locations.

#### Full text:

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).

- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- Justified - Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and

developers to support the preparation of sound documents which enable the delivery of sustainable development.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Seaward Properties Ltd [7119]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

We would query why the options outlined in the PINS advisory visit of 2021 have not been more thoroughly tested for increased housing provision in the north part of the district to increase the supply of housing to meet OAN. There is no updated Settlement Hierarchy background paper, and the revised housing distribution has not been justified anywhere in the evidence base for the Regulation 19 Local Plan.

**Full text:**

See attached representation.

**Change suggested by respondent:**

The role and impact of existing commitments in the housing land supply on the proposed strategic and non-strategic allocations in H2 requires further clarification in lower case policy text.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Seawrd Reg 19 - <https://chichester.oc2.uk/a/sfm>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Levanter Developments Limited (Oliver Tomalin) [8120]

**Summary:**

There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

More specifically, in relation to Land West of Chichester(A6) and Tangmere SDL, neither site has outline permission. Delivery of units from both sites in a little over 5 years from Plan adoption is wholly unachievable. No evidence to justify how this timeframe would be achieved is presented. It is considered that the trajectory is unreliable as a result.

In relation to new strategic sites A11, A8, A10, A4 and A5 it is considered that the anticipated delivery from these allocations is highly ambitious and lacks any justification; planning permission is still required and the lead in time to delivery is generally longer for strategic sites of this size.

**Full text:**

I write in response to the regulation 19 consultation version of the Chichester Local Plan 2021-2039 in our capacity as promoters of Ansell's Yard, Kirdford Road, Wisborough Green.

**Conclusions**

There are several concerns on the soundness of the plan in terms of whether it is effective, justified, positively prepared or consistent with national policy in accordance with paragraph 35 of the NPPF.

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

Levanter will continue to make further representations on the deliverability of the site as part of the plan making progress.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Ansell's yard - local Plan Reps - <https://chichester.oc2.uk/a/sfn>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

It is noted that a substantial number of new homes are proposed on the A259 corridor between Emsworth and Chichester. This is a sensitive stretch of land in the coastal plain between the coast, the south coast railway and the A27. This corridor provides the connection, including intervisibility, between the protected landscapes of the South Downs National Park and Chichester Harbour AONB, for example views of the channels within the Harbour from the Trundle and Stoke Clump. The amendments to policy set out earlier in this consultation response will help to ensure that development coming forward in this sensitive area positively addresses the South Downs National Park and its setting.

It is noted that several settlements around the South Downs National Park have been given a figure to be identified through either Neighbourhood Development Plans or through a potential future Site Allocations DPD. We particularly note Southbourne (1,050 homes), Wisborough Green (75 homes), (Kirdford (50 homes) and Boxgrove (50 homes). We raise concern about these figures and the challenge neighbourhood planning groups may have as many potential sites in these areas are likely to be in the setting of the South Downs National Park. It will be important that attempts to meet these target figures address the requirements of NPPF paragraph 176 on setting.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mr Tim Swann [7917]

**Summary:**

CDC have not consulted on revised housing numbers in North of the district-it quotes the restrictions of the A27 which prevents the southern development however the A281 is a bigger constraint which will also have Dunsfold adding pressure.

Allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood-it a huge Percentage increase and will destroy the village CDC Sustainability Appraisal is weak in its justification for allocation of 220 houses

There is no viable bus, lack of sewerage capacity, a village school, shops to support large increase in housing.

LPC have spent time and effort to create a Revised Neighbourhood Plan which allocates 126 houses plus 17 carried forward from the Made Neighbourhood Plan giving 143 houses. It has reached Regulation 14

consultation stage and is based upon the Preferred Approach Local Plan consultation. The residents

of the Parish and Loxwood Parish Council have satisfied themselves through evidence gathered that 126 homes is a sustainable allocation given the constraints that exist-it should not be ignored due to water neutrality issues.

**Full text:**

CDC have not consulted on revised housing numbers in North of the district-it quotes the restrictions of the A27 which prevents the southern development however the A281 is a bigger constraint which will also have Dunsfold adding pressure.

Allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood-it a huge Percentage increase and will destroy the village

CDC Sustainability Appraisal is weak in its justification for allocation of 220 houses

There is no viable bus, lack of sewerage capacity, a village school, shops

to support large increase in housing

**Change suggested by respondent:**

Policy A15 should be removed and Policies H2 and H3 amended to reflect a realistic allocation of 125 houses which is still generous compared to other local area with better services.

Loxwood should not be deemed to be a strategic location-it is a small rural village

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Tanglewood Residences Limited [7976]

**Agent:** Andrew Black Consulting (Mr Andrew Black, MD) [7597]

**Summary:**

It is considered that the anticipated delivery from these allocations is highly ambitious and lacks any justification from CDC given that planning permission is still required and the lead in time to delivery is generally longer for strategic sites of this size.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Regulation 19 - Andrew Black Consulting - obo Tanglewood Residences - March 2023 - Final redacted - <https://chichester.oc2.uk/a/sxb>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Reside Developments Ltd [8133]

**Agent:** Henry Adams LLP (Zac Denton) [8131]

**Summary:**

Site submitted - Land at Herons Farm, Kirdford. Up to 200 dwellings, including self build.

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Reside Developments Ltd. The submission covers the general principles of the Local Plan, but has a focus on Land at Herons Farm, Kirdford, which is in our clients control. The land is shown on the attached location plan included at Appendix 1 and hereon referred to as the site.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Council's Local Plan, or as currently proposed, through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy.

These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- i. Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- ii. The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that is not agreeable as we believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given the scale of development expected for adjoining authorities, including the highly constrained SDNP area.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the Plan relies on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

'If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.'

2.15 The above is not precise and does not provide any clear timetable for delivery within the Plan period.

Whilst the strategy in the comments above could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent. However, due to the lack of evidence to demonstrate this, the 535 dpa figure should be capped. Given the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Approach to development in Kirdford

#### Overview

3.1 The Draft Local Plan defined Kirdford as a service village, which benefits from some local facilities and services including a village hall, a local shop and two pubs. The village has been allocated 50 units within the draft local plan and is therefore suitable for a quantum of growth. The Sustainability Appraisal (SA) identifies Kirdford as a village with some facilities, albeit that due to the absence of a school, these are limited. The SA notes that the delivery of community infrastructure would be required to accommodate any quantum of housing, our client's land provides ample opportunities to provide this infrastructure alongside housing. The HELAA identifies a number of sites which could come forward through the Neighbourhood Plan process.

#### Sustainability Appraisal

3.2 Section 5.4 of the SA states that it is important to consider each of the settlements within the plan area, and explore reasonable growth scenarios. 5.4.2 continues this, stating that there is a clear need to explore a wide range of growth quantum scenarios in the northeast plan area.

3.3 The Sustainability Appraisal addresses the constraints of this area in terms of its rural locality, unsustainable travel patterns and achieving water neutrality. 5.4.7 sets out that there are three reasonable growth scenarios for each of the four Parishes in the Northeast plan area, if the option of a new settlement at Crouchlands Farm is ruled out as unreasonable. 5.4.8 states there is a strong argument to suggest that this option is unreasonable, nevertheless, it has been deemed appropriate to take the option forward to consideration. Within the SA, the Council justifies their approach which comprises a blend between Scenario 1 and Scenario 2 as described below:

☒ Scenario 1 – Lower growth scenario across all parishes – This would relate to an allocation of 50 units to Kirdford.

☒ Scenario 2 – Higher growth scenario across all parishes – This would relate to an allocation of 150 units to Kirdford.

3.4 The SA sets out that it is fair to rule-out the lowest growth scenario for Kirdford (growth at committed sites only). The SA also sets out there is an argument for ruling out the highest growth scenario (300 homes) as unreasonable, as Kirdford is poorly connected and does not benefit from a primary school. The SA sets out three growth scenarios following the above. These scenarios relate to 50 homes, 150 homes, and 300 homes.

3.5 A blended approach for Parishes within the Northeast plan area has been supported within the SA, attributing the Scenario 1 model (lower growth) to Kirdford.

3.6 The reasoning given by the Council for attributing the lower growth figure to Kirdford relates to the unsuitability of the northeast plan area as a whole, including unsustainable travel patterns, risks to achieving water neutrality and settlement specific concerns relating to the potential impacts of growth of Kirdford.

3.7 Whilst these concerns raised within the SA and those regarding the existing infrastructure of the village are noted, we believe that the need to support the growth of existing villages, and the ability of development to create and enhance infrastructure should be afforded weight when considering the housing numbers attributed to the village.

3.8 The SA raises concerns surrounding the HELAA options towards the North of the village. This is mainly due to the connectivity to the village and road network, and environmental concerns. These concerns will be addressed later in this representation.

3.9 It should be noted more broadly that higher growth scenarios can provide more significant community infrastructure enhancements to the area.



#### 4 Suitability of Site

##### Site Description

4.1 Our client's land is located to the North of the main settlement of Kirdford, which is situated in the northeast of the District. The plan submitted alongside this statement includes land edged in red, to be considered for housing/community uses, and land in blue for biodiversity enhancements. For ease of reference, the red area has been split into Area A, Area B and Area C, which correspond to the split of the site in the HELAA. The site is connected to Kirdford by Footpath 610 and 606. As mentioned previously, the site was previously submitted to the Council's call for sites and is included in the most recent HELAA.

4.2 The Southernmost part of our client's land is annotated as Area A on the drawing included at Appendix 1 (HELAA reference HKD0007). The site was considered to be potentially suitable, subject to detailed consideration of access, and heritage impact. We believe that through well considered design, there is clear potential for development on this parcel as the site is well connected to the P.R.O.W and local transport network. Footpath 606 runs along the Northern boundary of the site, and Footpath 610 runs along the Western boundary of the site which provide access to the main settlement of the Kirdford. The access track to Heron's Farm is adjacent to the Eastern boundary of the site. Whilst the concerns relating to connectivity are noted, we believe there is strong evidence to suggest the site is well connected to the settlement, and there are achievable technical solutions to access.

4.3 The central parcel of our client's ownership is annotated as Area B on the drawing included at Appendix 1 (HELAA reference HKD0009). The site has been considered potentially suitable subject to consideration of access and landscape matters. The site is immediately adjacent to the established residential development at Bramley Close, and an allocated site with planning permission (HELAA reference HKD0002). We are of the view that there are technical solutions to access at the site, which can be explored as part of our 'next steps'. Footpath 610 provides pedestrian links to the main settlement. Further to this, we are of the view that development of this site to the North of the settlement appears as a natural continuation of Kirdford. This is due to the presence of the adjacent site to the West, the sports pitches to the North, and the shaping of the existing woodland. Initial landscaping works have been completed, and it has been concluded that appropriate landscape-led masterplanning, and green infrastructure plans can be provided as part of any prospective development, which would allow the landscape characteristics of the site and its locality to be retained and enhanced. The site provides an opportunity to introduce a new landscape framework within the parcels and enables any proposed development to sit within a treed landscape. Further works for the site would look to come forward following liaison with the Parish Council, which could include further landscaping evidence.

4.4 The Northernmost parcel is annotated as Area C on the drawing included at Appendix 1 (HELAA reference HKD0011). The site was deemed to be potentially suitable for residential development subject to considerations of access. As set out previously within this statement, the site has potential vehicular and pedestrian links to the settlement, and the wider transport network. We feel there are multiple technical solutions to achieving access to the site.

4.5 Whilst noted that in order to ease the consideration of the site, it is necessary to divide the site into sections, we are of the view that our clients land should be looked at more strategically. The SA sets out that the delivery of community infrastructure would be required to accommodate any quantum of housing and we would look to provide this within our clients ownership. The provision of this infrastructure will be subject to consultation with the Parish Council and local occupiers to understand what community infrastructure would be sought for the area. Further, the parcels provide an opportunity to introduce a new landscape framework and enables any development to sit within a treed landscape. The land within our client's control is considered to have potential to accommodate a quantum of up to 200 dwellings, including provision for selfbuild units.

4.6 The area outlined in blue is put forward as land for biodiversity enhancement, which could be delivered as part of any application.

##### Sustainability

4.7 The site is suitably located to deliver a host of benefits to the local area and help achieve objectives of the northeast of the District, without harm to the key attractions for visitors, the setting of the National Park, or the rural character of the locality.

##### Water Neutrality

4.8 One of the constraints of the north-east of the District is the requirement is for all new development to meet water neutrality, to ensure that any new it does not impact further on the habitat site comprising the Arun Valley Special Area of Conservation (SAC) or the Arun Valley Special Protection Area (SPA) & Ramsar site, in terms of groundwater abstraction within the Sussex North Water Supply Zone. It is anticipated that further advice and a mitigation strategy will be created by the Council and its partners to demonstrate how developments can achieve water neutrality. However, at present applicants are required to provide a water neutrality strategy to demonstrate how the development can achieve water neutrality.

4.9 To provide the Council with reassurance that the site is deliverable despite this constraint, it should be noted that our client has worked on other sites with this constraint, and has developed approved strategies in this instance to mitigate development.

#### 5 Conclusion

5.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, we consider that the Plan area is capable of accommodating a greater housing quantum. This will facilitate development and help villages in particular to flourish and meet the objectives of the Local Plan. The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the SDNP. The Council's position of growth is predicated on the basis of the A27 not having sufficient capacity to accommodate a higher growth of 535 dpa. Its own evidence base (Transport Study 2023) contradicts this position and therefore the Council should at least be meeting their local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.

5.2 Our clients land is well placed to assist in the delivery of a sustainable expansion of Kirdford, and deliver both much needed housing within the north-eastern plan area, but also provide highquality infrastructure within the area. The allocation of a greater quantum of housing to the village will support the vitality, and viability of services and facilities within the Northern villages.

5.3 At present, the Plan fails to be positively prepared and is inconsistent with the NPPF. On the basis that the Council don't reconsider their position, we wish to be present at the relevant Examination hearings to represent our clients' interests and further discuss the views set out in this submission. Our next steps will include liaison with the Parish Council in order to best understand what they would like to see from development proposals within the area.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Reside Dev., Kirdford - Representation - March 2023 - Final.pdf - <https://chichester.oc2.uk/a/sjz>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Chichester Harbour Conservancy hereby Objects to Policies A11, A12 and A13, for the reasons that will be set-out later in the consultation response.

**Full text:**

Chichester Harbour Conservancy hereby Objects to Policies A11, A12 and A13, for the reasons that will be set-out later in the consultation response.

**Change suggested by respondent:**

Remove Policy A11. Amend Policies A12 and A13.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

I object to the increased allocation at Highgrove Farm and the evidence submitted that has arrived at this allocation. I represent The French Gardens (TFG) site which has been incorrectly coloured red on the HELAA and incorrectly assessed on the Sustainability Assessment. These errors have been blindly carried forward resulting in a gross lack of soundness. Briefly 1. TFG is lower grade soil. 2. TFG was preferred by locals in the Village consultation. 3. TFG no impact on East-West coalescence, SDNP and AONB. 4. TFG would result in reinvestment into dilapidated rural business. 5. TFG mitigation available onsite etc.

**Full text:**

I object to the increased allocation at Highgrove Farm and the evidence submitted that has arrived at this allocation. I represent The French Gardens (TFG) site which has been incorrectly coloured red on the HELAA and incorrectly assessed on the Sustainability Assessment. These errors have been blindly carried forward resulting in a gross lack of soundness. Briefly 1. TFG is lower grade soil. 2. TFG was preferred by locals in the Village consultation. 3. TFG no impact on East-West coalescence, SDNP and AONB. 4. TFG would result in reinvestment into dilapidated rural business. 5. TFG mitigation available onsite etc.

**Change suggested by respondent:**

If we accept the proposed 295-300 homes I proposed that this is split more in line with the Village Plan and consultation and which is more sustainable, viable and robust in terms of actual delivery. I suggest that an additional 220 houses are allocated to HighGrove Farm (270 in total) and 25-30 to HBO0003 which adjoins Bosham Station. HBO0003 is considered 'developable' in the HELAA although the map incorrectly colours it red.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Deerhyde Limited [7657]

**Agent:** Vail Williams LLP (David Ramsay, Partner) [8134]

**Summary:**

There are no strategic locations/allocations on the Manhood Peninsula under Policy H2 which is considered unsound, particularly given the position that Selsey holds in the settlement hierarchy. Furthermore, under Policy H3 (non-strategic parish housing requirements 2021-2039) Selsey has been allocated zero housing. Again, this is considered unsound as it prevents sustainable development and access to new houses for all settlements across the district.

**Full text:**

I am pleased to attach our representations in response to the Chichester Local Plan Regulation 19 consultation. These representations are submitted on behalf of our clients Deerhyde Ltd. owners of land in Selsey and located in the area for a significant number of years.

The submitted documents include the following:

- Representations statement
- Plans showing the potential road widening of Golf Links Lane and Paddock Lane, Selsey
- Development potential of sites for residential development at Golf Links Lane and Old Farm Road, Selsey taking account of flood zones 2 and 3 (2 plans 15-085 SK03 and SK04)
- Plans showing access options to Golf Links Lane site
- Plan showing tracking analysis for low-loaders
- Junction analysis
- Submission form

As detailed in the attached, after careful consideration we have concluded that the housing strategy for Chichester is flawed in principle as it fails to allocate sufficient sites in outside Chichester City (or adjacent to) to allow the remainder of the District to continue to provide houses for local people in areas where they are most needed.

In addition, our clients have put forward a suggestion for an infrastructure improvement to Selsey – namely the widening of Golf Links Lane and Paddocks Lane to accommodate delivery of caravans / other HGV / LGVs but also to provide a wider carriageway which could potentially incorporate a pavement / footpath cycleway to aid safer conveyance of pedestrians and vehicles in the area. Adding in a safer highway solution would also encourage car users to walk or cycle for local trips rather than risking congestion in the car. It would have the added benefit of diverting caravan park traffic travelling from the north into the caravan parks earlier and thus relieving congestion of Selsey High Street.

## Introduction

1.1. Vail Williams LLP has been instructed by Deerhyde Ltd to submit representations to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) document.

1.2. As per the Website, these comments seek to address the three questions namely:

1. Is it legally compliant?
2. Is it sound?
3. Does it comply with the duty to cooperate?

1.3. These representations are largely focussed on the provision of housing and ensuring that a satisfactory access (both vehicular and pedestrian) can be maintained and enhanced, particularly in Selsey.

1.4. These representations reflect the fact that our client, Deerhyde Ltd, owns a significant amount of land in the Selsey area, an interest which was acquired in 1986 but with family ownership going back many years before then.

1.5. Our clients have identified a potential opportunity to facilitate highway improvements within Selsey which would be to the benefit of both residents and tourists using the holiday parks and other attractions alike. This would particularly be of benefit given the Council's acknowledgement that the B2145 through Selsey is the busiest B road in the country. These representations bring into question the 'tests of soundness'. In particular regarding the questions as to whether it is 'sound' on the basis of whether it has been 'positively prepared', whether it is 'justified' and 'effective' in respect of the areas of concern raised with respect to employment land provisions.

1.6. As set out at Paragraph 35 of the NPPF local plans are required to be 'sound'. Plans are considered sound when the following applies:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>1</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy<sup>2</sup>, taking into account the reasonable alternatives<sup>3</sup>, and based on proportionate evidence<sup>4</sup>;
- c) Effective – deliverable over the plan period<sup>5</sup>, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.<sup>6</sup>

1.7. These representations seek to highlight that Chapter 5 (Housing) has not been positively prepared, in so far as it does not provide [1.] "a strategy which, as a minimum, seeks to meet the area's objectively assessed needs".

1.8. It is also considered that Chapter 5 is not justified as the housing strategy is [2.] is inappropriate as it relies on a number of large strategic sites, with multiple issues some of which are in conflict with other parts of the local plan.

1.9. Chapter 5 is also not justified with respect to its provisions do not [3.] take into account reasonable alternative sites.

1.10. It is considered on the basis of the other factors highlighted in these representations and the proposed housing land provision is not 'consistent with national policy' as the proposed provision does not enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant. It is considered that the proposed plans are contrary to the NPPF paragraph 16a, 16b, 16c, 16d and paragraph 20a

## 2 Local Plan Representations

2.1. Having reviewed the draft Local Plan we would make the following comments:

2.2. Paragraph 3.1 asserts the Government's encouragement for local planning authorities to ensure sustainable development is at the forefront when considering planning applications and that the National Planning Policy Framework (NPPF) defines sustainable development as "meeting the needs of the present without compromising the ability of future generations to meet their own needs". Paragraph 3.5 goes on to advise the range of factors as are informed the spatial strategy which underpins the local plan which, inter alia, "the pattern of need and demand for housing and employment across the area", "infrastructure capacity and constraints, in particular related to waste water treatment, roads and transport", "the availability of potential housing types, their deliverability and phasing" and this needs to take place whilst being mindful of the environmental constraints taking a sequential approach to avoiding flood risk areas, protect the environmental designations, landscape quality, the historic environment and settlement character.

2.3. The principles outlined above are supported as these are the key facets of good planning and plan making. However it falls to local authorities to ensure that the sustainable approach includes providing a sufficient supply of homes and facilitating a variety of sites to come forward where needed, and that the needs of groups within specific housing requirements are addressed and that land with permission is developed without unnecessary delay. (Paragraph 65). Paragraph 66 states that within the overall requirement [for housing] strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.

2.4. Paragraph 67 goes on, where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take account of factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

2.5. Paragraph 68 asserts that strategic policy making authorities should have a clear understanding of the land available in their area through the preparation of a Strategic Housing Land Availability Assessment (SHLAA). From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and locally economic viability.

2.6. Further guidance states (Paragraph 69) that small and medium sized sites can make an important [my emphasis] contribution to meeting the housing requirements of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites the local planning authority should identify sites of small and medium size and support the development of windfall sites through their promises and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes.

2.7. Neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites suitable for housing in their area. Paragraph 71 goes on: where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the SHLAA, historic windfall delivery rate and expected future trends.

2.8. Whilst it is noted that the delivery of large scale sites can result in the delivery of large numbers of new homes, it is apparent that such developments take considerable time to work their way through the planning system to an approval and even then are only at outline stage. The delivery of new homes is therefore reliant on the Councils to efficiently determine reserved matters applications and, thereafter, discharge of conditions, to allow a swift implementation of planning applications and a timely start on site for the delivery of housing.

2.9. The inclusion of small and medium sites (ie. not reliant on strategic sites) within the housing mix are invaluable in delivering housing quicker and potentially in places, perhaps outside the main settlements, which would allow new housing to be accessible to all which is one of the key facets of the NPPF.

2.10. This approach would assist with maintaining delivery of housing where existing allocations are either stalled or progressing slowly through the planning system or have simply been delayed in coming forward for perhaps other commercial reasons.

2.11. The plan is largely predicated on strategic sites, as detailed at Policy H2 which would provide 7,195 houses. This is a significant reliance on the strategic sites to deliver 75% of the overall housing target and much of them are predicated on the works to the A27 being completed in order to make them acceptable.

2.12. It should be noted that the above housing provision is predicated on the ability to identify mitigation for the impacts on the European environmental designations (including nutrient neutrality), addressing highway implications and negotiating the planning system.

#### The Manhood Peninsula

2.13. The preferred approached version of the Local Plan does include moderate growth for the settlement hubs of Selsey (250 dwellings) and East Wittering (350) and the service village of Hunston (200). However, since then several planning permissions have contributed to the moderate levels of growth on the Manhood Peninsula which the Council says has accounted for these housing numbers. The plan does not therefore include any strategic allocations on the Manhood Peninsula in recognition of this recently permitted growth and the ongoing constraints the area faces, save for 50 dwellings to come forward at North Mundham.

2.14. This approach is not considered sound as a reason to prevent development of any scale on the Manhood Peninsula (particularly Selsey) for the plan period. As detailed above, it is essential that the plan allocates land across its settlement hierarchy in order to maintain a sustainable and deliverable approach to development and to assist the continuing evolution and economic viability of settlements which rely heavily on tourism and also on new development to maintain the supply of homes to provide options for all sectors of the local community to be able to live on the Peninsula should they so wish.

2.15. It is noted that at Policy S2 (settlement hierarchy), Selsey is listed as a "settlement hub" which is the second tier of settlement under Chichester city. Whilst this hierarchy, particularly in connection with Selsey is supported it is therefore surprising not to see more housing sites allocated within and around Selsey.

2.16. Given the potential number of environmental constraints on the Manhood Peninsula it is unlikely that sites of any excessive size would come forward and large numbers of dwellings would not necessarily result once the sites had taken account of their environmental constraints. That said, and as reflected above, sites of a size proportionate to their location but below "strategic" size can have an important part to play in the delivery of sufficient housing numbers in the right location at the right time in accordance with the NPPF.

#### Housing

2.17. Policy H1 (meeting housing needs) sets out the housing requirement for the full plan period of 1 April 2021 to 31 March 2039 as 10,350 dwellings. This allocates 963 dwellings to the Manhood Peninsula and a windfall (small site allowance) allocation of 657 dwellings for the whole district. There are no strategic locations/allocations on the Manhood Peninsula under Policy H2 which is considered unsound, particularly given the position that Selsey holds in the settlement hierarchy. Furthermore, under Policy H3 (non-strategic parish housing requirements 2021-2039) Selsey has been allocated zero housing. Again, this is considered unsound as it prevents sustainable development and access to new houses for all settlements across the district.

2.18. An overreliance on consented sites coming forward to provide future housing is considered unsound as, in this case, it effectively prevents any further development on the Peninsula and in Selsey in particular.

#### Transport

2.19. Policy T1 (transport infrastructure) is specifically aimed at ensuring that integrated transport measures will be developed to mitigate the impact of planned development on the highway network, improve highway safety and air quality, promote more sustainable travel patterns and encourage increased use of sustainable motor travel, such as public transport, cycling and walking.

2.20. The council will work with National Highways, WSCC, other transport and service providers and developers to provide a better integrated transport network and improve accessibility to key services and facilities. The policy lists seven ways in which the key objectives of reducing the need to travel by car, enabling access to sustainable means of travel, including public transport, walking and cycling; managing travel demands; and mitigating the impacts of travelling by car can be achieved.

2.21. Whilst it is not intended to go through all of these in this document it is noted that all parties are expected to support the four objectives by working with relevant providers to improve accessibility to key services and facilities which would be relevant to Selsey (see below).

2.22. The policy is also aimed at planning to achieve a timely delivery of transport infrastructure on the A27 and elsewhere on the network which is needed to support new housing, employment and other development identified in this plan. The phasing of delivery of new development to align with provision of new transport infrastructure such as improvements to the A27 and elsewhere on the highway network, will be key to managing impacts on the highway. This is yet another impediment to the delivery of a strategic allocations and larger scale development which would, by their very nature, generate a higher highway impact on the transport network than carefully planned smaller developments which could satisfy a much more localised need and be cause less impact on the strategic road network. The tariff proposals outlined at paragraph 8.20 only covers part of West of Chichester and Tangmere SDLs and not the other strategic sites outlined at Policy H2.

2.23. Critically it is also understood that Highways England has pulled funding for the improvements to the Bognor Road roundabout as part of a package of A27 improvements. On this basis it is unclear how further funding would be secured at this time.

2.24. The lack of soundness to the approach of significant reliance on strategic sites, due to the current lack of capacity of the A27, is evident in the text that accompanies the policy which states that opportunities to secure funding to implement this package of improvements will be maximised by working proactively with Government agencies, other public sector organisations and private investors. Developer contributions from new development will also be sought. It is clear that smaller scale developments which would have a significantly lesser impact on the highway network could deliver housing quicker and with fewer constraints to implementation. It is for these reasons that smaller sites should be allocated, particularly in the Manhood Peninsula, for development.

2.25. The content of Policy T2 (transport development) is largely supported and considered sound save for the fact that it does not seem to cover the improvement of local transport routes, particularly those that would assist in improving the circulation of traffic around smaller settlements. The policy

should be amended to specifically relate to local transport improvements which are locally important to aid traffic circulation and reduce congestion.

#### Neighbourhood Plan

2.26. The Selsey Neighbourhood Plan does not seek to allocate any sites or residential development, instead relying on those which were allocated in the previous local plan and, in particular, developments at Park Farm/Middle Field and Drift Field totalling 249 houses. It is assumed that this existing commitment accommodates the neighbourhood plan of 150 houses which is the justification for not allocating of residential development in the neighbourhood plan. However, this is short sighted as the neighbourhood plan runs to 2029 and, although development sites are largely controversial within smaller communities there is a lack of recognition of the requirement to provide new houses for existing and future residents (including descendants of current residents) in order to maintain the vitality and viability of the settlement outside of the tourist season where it is recognised that the local population will swell.

2.27. These points add further weight to the considered lack of soundness to the housing policies in the local plan which fail to recognise the need for smaller allocations within the Manhood Peninsula, particularly Selsey.

### 3 Local Infrastructure Provision

#### Selsey Road Improvements

3.1. Our clients wish to put forward a potential highway improvement scheme for Selsey which has come about given their extensive historic knowledge of the town and experience of significant congestion along Selsey High Street as a result of an over-reliance of this route by traffic using the caravan parks. It would be a common sense alternative route (to using High Street) which will alleviate congestion along Selsey High Street/School Lane/Paddock Lane/Warners Lane, particularly during the summer months.

3.2. The local plan focusses its attention on the need to improve the strategic highway network but this proposal would provide a significant benefit at a local level in Selsey. As per the attached plan, our clients propose to widen Golf Links Lane from its junction with the B2145 Chichester Road to its junction with Paddock Lane, then widen Paddock Lane and make it up to adoptable standard to enable delivery of holiday traffic to the point where it meets the north eastern corner of White Horse Caravan Park, from which point the road has been made up to carry holiday traffic. At the moment, the northern section of Paddock Lane is just a rough track which is not suitable for ordinary road traffic. It is envisaged that, in conjunction with the owner of the largest caravan parks, Warner's Lane will also be improved. It is currently a tarmac road in poor condition with no footways and one section is too narrow to allow two vehicles to pass each other. This is not satisfactory for the major access route to the largest caravan parks.

3.3. Golf Links Lane is currently a single track, tarmac road which is in poor condition. It is two-way but much of it is too narrow to allow two vehicles to pass each other. It serves Northcommon Farm, a small housing development on the northern side, Selsey Golf Club and Selsey Country Club (which comprises c.300 holiday chalets and an associated licensed club). If it were to be made up to adoptable standard to the point where it meets Paddock Lane, it would improve access for existing users but, importantly, it would also create a more direct access route (in conjunction with Paddock Lane) for traffic associated with thousands of holiday caravans as well as a touring caravan park.

3.4. Given that a large proportion of holiday traffic and other tourist industry-related traffic (HGVs carrying food and drink, caravan transporters, tractor/trailer transport and public transport) use the route along High Street/School Lane/Paddock Lane/Warners Lane it is considered that this could be diverted from the B2145 Chichester Road further north than Selsey High Street, thus taking traffic away from the congested High Street. An easier, more direct route to the major caravan parks would be an attractive alternative.

3.5. The mechanism to deliver such a proposal is not yet the subject of formal agreement. A large proportion of the land required to widen the roads is within the ownership of Deerhyde Limited (our clients) and the owner of the major caravan parks. The latter has been very supportive of the proposal verbally. A short section of land is not in any specific ownership but our clients have long-standing rights over its use, which can be traced back to 1830. Our clients are serious about facilitating these highway improvements, including the use of their land, which will inevitably have a significant financial impact upon them.

#### Potential Residential Development Sites

3.6. In order to mitigate the financial impact including both the loss of their land and the implementation of the proposed highway improvements our clients would like to promote two sites for residential development, namely land north of Golf Links Lane (13.5 acres/5.46 hectares) and land west of Old Farm Road for residential development. Whilst the north western corner of the site is located within Flood Zones 2 and 3 it is considered that the developable area of the site would be approximately 4 hectares and could therefore deliver approximately 120 to 140 dwellings. This includes retaining the existing boundary screening along the south eastern boundary and avoiding Flood Zones 2 and 3. An indicative plan is attached to this statement.

3.7. Thawscroft Ltd, an associated company, also owns land west of Old Farm Road, Selsey (2.8ha / 6.9 acres) which taking account of the flood risk constraints along its western boundary could accommodate approximately 50 dwellings. An indicative plan is attached to this statement.

3.8. Having reviewed the planning history of the site it is noted that a planning application (under the name of Thawscroft Limited) was made in December 2016, refused in June 2017 and the appeal was dismissed on 11 June 2018.

3.9. The reasons for refusal related to the following:

1. Site is located outside the defined settlement boundary for Selsey.

2. When the planning officer was giving evidence, he stated that he knew of an alternative site at lower risk of flooding but he would not identify it. After the appeal, an area of land north of Park Lane was identified for 250 houses. The land in question becomes waterlogged in the winter and is highly prone to surface water flooding. It is also only about 250m from Pagham Harbour, a site of major ecological importance with a significant level of protection afforded to it. The planning officer said the real issue with our appeal was one of numbers so it seemed curious to me that a site with a much larger number (250) was identified soon afterwards. Also, the land south of Park Lane (similarly prone to surface water flooding) was in the numbers for 2015/20 but in fact could not be started until 2021 so the planning inspector was misled. I believe that was crucial to the outcome. Landlink have proposed land west of the "Wave" roundabout (opposite Asda). This may be as an alternative for the land north of Park Lane. Neither parcel would be a good fit in the settlement policy area, whereas the land to the west of Old Farm Road would be, a fact acknowledged by planning officers in the past.

3. We did in fact offer to provide contributions towards improving the A27 so that reason for refusal was withdrawn prior to the appeal being heard.

4. As far as I can recall, the Council was content with our proposals in these matters at the time the appeal was heard. The criticism was that the need to avoid Flood Zones 2 and 3 created a narrow site which meant that the layout was said to be cramped. It could be that, with a smaller number of houses, MH Architects could provide an improved layout. Maybe this is reflected in the plan to which Vail Williams refer in paragraph 3.13.

3.10. It is considered that, as detailed above, given the Council's approach to an over-reliance on large strategic sites to fulfil its housing need and the lack of sites identified for development on the Manhood Peninsula (and in Selsey in particular) during the plan period this site could be proven to be an

appropriate location for development as a "windfall site" to help maintain housing supply whilst the strategic sites are in the planning system.

3.11. It is considered the dwellings on the site could be laid out to avoid the Flood Zones 2 and 3 and therefore be at considerably less flood risk than the proposal which was dismissed at appeal. This is set out in the enclosed plan. This would overcome reason for refusal 2.

3.12. Reasons for refusal 3 and 4 would be overcome through the agreement of under Section 106 of the Town & Country Planning Act to provide contributions towards the improvement to the A27 on a proportionate basis to the size of the site and the number of dwellings and also the relevant number of affordable housing units required by policy (or justified as part of a viability exercise). Other matters such as the management of the landscaping, open space, buffers and drainage infrastructure could also be secured by the Section 106 agreement.

3.13. We commend the above highways solution and subsequent development sites to officers in consideration of the draft Local Plan.

#### 4 Conclusions

4.1. It is clear that whilst the overarching strategy of the location of the majority of development in the largest urban settlement of Chichester or adjacent to it is sound the lack of allocation of significant housing numbers to those areas outside Chichester is unsound. This would mean that the vast majority of the district would attract very little housing over the planning period to 2039 thus ensuring that existing settlements would not evolve and would potentially shrink as existing residents and descendants of residents migrate to the Chichester or its strategic urban extensions.

4.2. Outside Chichester, the strategic proposals for Southbourne and Tangmere are similarly isolated. The Manhood Peninsula is particularly lacking in the provision of additional housing sites during the plan period with the justification provided that, for Selsey in particular, recent planning permissions which are being built or have been completed would accommodate all of the housing need going forward for the plan period.

4.3. This approach is flawed for two main reasons (making the Local Plan unsound):

1. The over-reliance on strategic allocations which themselves are constrained by the capacity issues on the A27 and environmental issues such as nitrate neutrality (and any future water neutrality issues which migrate south from the north of Chichester) and the usual impacts on the European sites could mean that these sites are slower in being delivered with little in the way of alternatives allowed for in the local plan.

2. The failure to acknowledge any future development potential of note within the Manhood Peninsula and in particular Selsey will constrain the continued vitality and viability of the settlements within the Manhood Peninsula, particularly following the pandemic when the service sectors are struggling. Taking into account that Selsey in particular but other settlements along the coast within the Manhood Peninsula are reliant on seasonal tourist activity, additional residents are relied upon outside these times in order to provide income for those businesses which may struggle to survive outside the holiday seasons. An effective block on development would significantly reduce the potential future viability of these settlements outside the tourist season.

4.4. The emphasis on the stated urban-focussed housing strategy encourages neighbourhood planning groups/parish and town councils to maintain an opposition to the relevant rather than a proactive policy framework to direct appropriate development within their areas.

4.5. Our clients have detailed above one way which their land could be used in conjunction with others to facilitate a local infrastructure improvement to assist traffic circulation and access in and around Selsey itself which would need to be funded by future residential development and we commend this proposal to you for further consideration.

4.6. We trust that officers will take these representations into account and we look forward to receiving confirmation that the representations have been duly made.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Local Plan Reg 19 Representation Form - Chichester Local Plan - <https://chichester.oc2.uk/a/sjm>  
 15-085\_SK03\_Image - <https://chichester.oc2.uk/a/sjy>  
 22-0360 SK02 - Potential Site Access Option 2 - <https://chichester.oc2.uk/a/sjq>  
 22-0360 sk03\_DRAFT - Potential Site Access - Paddock Lane - <https://chichester.oc2.uk/a/skr>  
 22-0360 SP01\_DRAFT - Paddock Lane - SPA Inbound - <https://chichester.oc2.uk/a/sks>  
 22-0360 SPP02\_DRAFT - Paddock Lane - SPA Outbound - <https://chichester.oc2.uk/a/skt>  
 23 01 03\_22-0360\_TFD - <https://chichester.oc2.uk/a/sk3>  
 23 01 04\_B2145-Golf Links Lane - <https://chichester.oc2.uk/a/sk4>  
 15-085\_SK04\_A.pdf - <https://chichester.oc2.uk/a/spc>  
 Representations to the Chichester Local Plan - March 2023 - Deerhyde Ltd - <https://chichester.oc2.uk/a/spd>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Gleeson Land (Mr Dominick Veasey, Planning Manager) [7915]

**Summary:**

The Plan should meet at least its full identified need of 638dpa, plus an additional buffer to accommodate unmet needs from SDNP(40 dpa), plus a 5% flexibility buffer. The resulting housing figure being 712 dpa. Based on the currently identified supply of 10,359 dwellings, a further circa. 2,500 homes (rounded) would need to be identified. In view of the shortfall the housing figure apportioned to Chidham and Hambrook parish, should be increased to at least 500 dwellings over the plan period.

**Full text:**

The Plan should meet at least its full identified need of 638dpa, plus an additional buffer to accommodate unmet needs from SDNP(40 dpa), plus a 5% flexibility buffer. The resulting housing figure being 712 dpa. Based on the currently identified supply of 10,359 dwellings, a further circa. 2,500 homes (rounded) would need to be identified. In view of the shortfall the housing figure apportioned to Chidham and Hambrook parish, should be increased to at least 500 dwellings over the plan period.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Policy\_H2\_Gleeson\_Land.pdf - <https://chichester.oc2.uk/a/sc9>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

**Full text:**

**Executive Summary**

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local

Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We note that a significant proportion of the housing numbers proposed through the Local Plan will be delivered by Neighbourhood Plans. We have highlighted key criteria for individual locations that we would wish to see considered by those Plans when allocating sites. Where possible we would wish to see these included within the Local Plan policy but as you will be aware we have produced a checklist for Neighbourhood Plan groups in your district which will guide the identification of sites and other key issues and opportunities to be addressed in the future.

**Full text:**

We note that a significant proportion of the housing numbers proposed through the Local Plan will be delivered by Neighbourhood Plans. We have highlighted key criteria for individual locations that we would wish to see considered by those Plans when allocating sites. Where possible we would wish to see these included within the Local Plan policy but as you will be aware we have produced a checklist for Neighbourhood Plan groups in your district which will guide the identification of sites and other key issues and opportunities to be addressed in the future.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



**Object****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Welbeck Strategic Land IV LLP [7970]**Agent:** Mrs Sarah Hufford [7969]**Summary:**

Following on from the Objections to Policies S1, and H1, which find that development should be accommodated at the Settlement Hub of East Wittering, it is considered that Land to the West of Church Road should be allocated, given the findings of the HELAA that indicate that the Site is developable. This is corroborated by the approval of the Southern Parcel.

Please also see Site Specific Representation attached.

**Full text:**

Following on from objections to Policies S1 and H1, a further objection is raised to the absence of strategic allocations at the Settlement Hub of East Wittering, which had been supported under the Preferred Approach of the Local Plan by Policy AL8 (350 dwellings to be delivered by the Neighbourhood Plan). However, a strategic allocation should be made at the Settlement Hub of East Wittering. It should not be deferred to the neighbourhood planning process as proposed in the Preferred Approach of the Local Plan as this would not be 'positively prepared'.

As set out under objections to Policy S1, the Sustainability Appraisal has incorrectly not tested growth scenarios which includes development at the Settlement Hub of East Wittering. It is noted within the SA that the 2022 SFRA shows extensive tidal flood risk under climate change scenarios, affecting all the sites reasonably in contention for allocation. This includes Site HWW0002a, Land to the West of Church Road.

However, Chichester District Council published another SFRA back in 2018, identifying Land to the West of Church Road, in the 'climate change risk zone in 2115' catchment. The 2018 SFRA was utilised to assess sites in the 2020 HELAA. Land to the West of Church Road was originally discounted in the 2020 HELAA, due to being in the subject catchment. This was challenged and it was argued this is an extreme tidal event and should not be confused with identified flood zones. The EA subsequently advised that the model had been superseded and that the site is not considered to be at risk of coastal flooding. The reason for the difference was found to be which of the various flood risk scenarios were used in the 2018 SFRA. Chichester District Council then produced a revision to the 2018 SFRA in April 2021.

Upon review of the 2022 SFRA, the Council claims the assessments have an updated harbour coastal model. Appendix E of the 2022 SFRA outlines how climate change may influence the tidal and coastal flood risk. However, from reading the 2022 SFRA, our interpretation is that the update is based on the original 2018 SFRA, instead of the revised 2018 SFRA and therefore, it appears that the modelling is believed to be inaccurate once again.

Land West of Church Lane is therefore considered available for development within the HELAA. The Sustainability Appraisal also considers the site under reference HWW0002a and has a 'green' response on the RAG scale indicated and supporting the findings that the site is suitable for development on these grounds.

It is therefore considered that the exclusion of the settlement of East Wittering from consideration for development is fundamentally flawed and based on incorrect data.

Specifically, Land to the West of Church Road (Northern Parcel) is identified within the SHLAA as developable (See Appendix A) and should be subject to a strategic allocation for 150 - 160 dwellings. Development on the site (Phase 1) is already part committed through the 2022 permission for 70 dwellings (Appeal Ref: APP/L3815/W/21/3286315), demonstrating the unconstrained nature of the overall site.

Representations were submitted via Chichester's Call for Sites exercise in 2020, and the Site was positively assessed in the HELAA 2021 and considered developable. Therefore, in total the Site could accommodate 220 to 230 dwellings, which accords with the HELAA assessment of 226 dwellings.

Notwithstanding this positive HELAA assessment in 2021, the assessment within the SA differs and refers to a relatively poor performance with specific reference to a low level of landscape performance within the 2019 Landscape Capacity Study. The 2019 Study predates the HELAA (and is arguably more out of date in comparison) and covers a more significantly larger area than site HWW0002a. The conclusions of the 2019 Landscape Capacity Study also recognise that there could be very limited development adjacent to the settlement edge if carefully integrated into the landscape and with care given to heritage assets. Given the findings of the Appeal Inspector (see below) it is considered that more significant development can be accommodated through the introduction of an appropriate landscaped setting and the conclusions of the SA are over played in this regard.

Notwithstanding the findings of the 2019 Landscape Capacity Study, during the consideration of the Appeal for the Southern Parcel in 2022, development was found to have a limited impact upon the wider landscape and whilst it would have a significant but localised effect on the character of the countryside, it was concluded this would lessen over time. It is considered that the development of the Northern Parcel could also be integrated into the landscape in a similar manner without significant, wider landscape harm.

Please also see Site Specific Representation Attached

**Change suggested by respondent:**

An Allocation should be made within Policy H2 for 150 – 160 dwellings at Land West of Church Road (Northern Parcel). By not including an allocation at the settlement of East Wittering, and specifically Land West of Church Road (Northern Parcel), the Draft Local Plan is not 'justified' and 'effective'

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** P2020 Appendix B Appeal Southern Portion.pdf - <https://chichester.oc2.uk/a/s7z>P2020 Regulation 19 Repts Land West of Church Road FINAL 231603.pdf - <https://chichester.oc2.uk/a/s7m>P2020 Appendix C Flood Risk Correspondence\_redacted - <https://chichester.oc2.uk/a/shw>**Support****Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

**2. Vision and Strategic Objectives****2.1. Issues and Opportunities**

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework

- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively. The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

"Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...

...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health..."

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

"Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment."

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to "Net Zero" that "The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment."

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 "Strategic Infrastructure" includes the following statement:

"To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process."

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a "sustainable or integrated" transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and "East of Chichester" (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary "The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks". This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple

ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation partake to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and

cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures

being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

### 3.1. Policy S1 Spatial Development Strategy

#### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

### 3.2. Policy S2 Settlement Hierarchy

#### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

## 4. Climate Change and the Natural Environment

### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

"4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant."

This is a retroactive approach – it is not "planning", based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.



National Highways will now pursue an approach with the planning system that “includes moving away from transport planning based on predicting future demand to provide capacity (‘predict and provide’) to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including ‘vision and validate,’ ‘decide and provide’ or ‘monitor and manage’). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages.” (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN “Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference.” (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039 Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements Stagecoach Supports

The approach is consistent with the plan’s spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this. Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):  
 “Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

## 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

“1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

“Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council’s Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car.”

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west through movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the

Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d’être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating

capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity *inter alia*, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective “tick box” exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

#### 9. Strategic and Area Based Policies

##### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

## 9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with “dead running” to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidably add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park  
Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

- “ ...  
 • Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.  
 ...”

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan’s development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:



" ...  
 10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,  
 ..."

#### 9.5. Policy A7 Land at Shopwhyke

##### Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

" ...  
 12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
 ..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base is in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

" ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

“

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

”

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

“

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

”

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements.

These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

" ...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

" ...

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

"...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

Currently the Plan proposes 10,354 total new homes over the Plan period (575.2 homes p.a). However, using the Standard methodology, the actual housing needed in the District is 11,484 homes. The 11,484 figure is calculated using data from the ICENI Chichester Housing and Economic Development Needs Assessment (HEDNA) Report from April, 2022. Indeed, using this data, CDC is currently 1,131 homes short of it's need over the 18-year period. Shortfall exacerbated by the fact that the Plan fails to take account of the full potential of all of the new strategic locations within the District, such as Boxgrove. There is an evidence base that supports the case that Boxgrove has potential to accommodate a strategic level of housing growth, rather than the conclusion that it has limited capacity due to constraints – or the 50 homes proposed by CDC in Plan Policy H3. Strategic level of growth could amount to at least 200 homes, significantly greater than that proposed in Plan Policy H3. Indeed, CDC's Local Planning Authority (LPA) has an evidence base which does not support the comments made in Paragraph 3.19, Page 38. CDC's Housing and Economic Land Availability Assessment (HELAA) assessed 9 submitted sites as available, suitable and deliverable for Boxgrove, with a Total Identified Capacity (TIC) for housing of 610 potential plots.

**Full text:**

Currently the Plan proposes 10,354 total new homes over the Plan period (575.2 homes p.a). However, using the Standard methodology, the actual housing needed in the District is 11,484 homes. The 11,484 figure is calculated using data from the ICENI Chichester Housing and Economic Development Needs Assessment (HEDNA) Report from April, 2022. Indeed, using this data, CDC is currently 1,131 homes short of it's need over the 18-year period.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** March 23 Reg 19 reps Chichester District Council RHL - Final.pdf - <https://chichester.oc2.uk/a/s87>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

In regards to Plan Policy H2 relating to Strategic Locations/ Allocations 2021 – 2039, we object to the exclusion of Boxgrove Parish from Policy H2. Boxgrove Parish should be listed as a Parish with the potential to accommodate strategic locations for residential development, where Neighbourhood Plans are anticipated to be prepared to identify the site(s) required, alongside the 3 strategic locations currently listed in draft Policy H2 (namely Chichester City, Nutbourne and Hambrook and Loxwood).

**Full text:**

In regards to Plan Policy H2 relating to Strategic Locations/ Allocations 2021 – 2039, we object to the exclusion of Boxgrove Parish from Policy H2. Boxgrove Parish should be listed as a Parish with the potential to accommodate strategic locations for residential development, where Neighbourhood Plans are anticipated to be prepared to identify the site(s) required, alongside the 3 strategic locations currently listed in draft Policy H2 (namely Chichester City, Nutbourne and Hambrook and Loxwood).

**Change suggested by respondent:**

Nutbourne/ Hambrook and Loxwood are both defined as 'Services Villages' under Policy S2 (Settlement Hierarchy). The Boxgrove settlement is within same settlement category (Service Village) as Nutbourne/ Loxwood and Hambrook. The 2021 CDC HELAA assessed the 9 submitted sites as available, suitable and deliverable for Boxgrove Parish (with 6 suitable sites adjacent to the Boxgrove settlement boundary) and 3 further sites at settlements within Boxgrove Parish, totalling 610 potential plots, as outlined earlier in this document. This should be reflected in a revised policy.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mr Stuart Lockwood [8029]

**Summary:**

The proposed allocation of dwellings for the Loxwood Ward are disproportionate in scale to the other larger areas mentioned. ie: 220 dwellings for Loxwood and 270 for Chichester City ??

The infrastructure here in the Loxwood ward is barely able to cope with the existing houses requirements in relation to public transport, schools places, doctors surgeries etc... Further development in the area is unsustainable and therefore should be reconsidered. There are other applications too for large scale housing developments at Crouchlands Farm with 600 dwellings.

**Full text:**

The proposed allocation of dwellings for the Loxwood Ward are disproportionate in scale to the other larger areas mentioned. ie: 220 dwellings for Loxwood and 270 for Chichester City ??

The infrastructure here in the Loxwood ward is barely able to cope with the existing houses requirements in relation to public transport, schools places, doctors surgeries etc... Further development in the area is unsustainable and therefore should be reconsidered. There are other applications too for large scale housing developments at Crouchlands Farm with 600 dwellings.

**Change suggested by respondent:**

Reduce the allocated numbers of proposed dwellings in this rural, isolated area to prevent permanent disfigurement of the area.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

The quantum of development at Southbourne (A13) should be 1,250 to reflect the conclusions of the sustainability appraisal, the capacity within the land east of Southbourne and the importance in bringing forward all infrastructure improvements to the village and wider area.

**Full text:**

REPRESENTATION SUMMARY

CDC fails on a number of counts to provide a sound reason for constraining development delivery to 535 dwellings per annum. We find that the Council's failure to adhere to the OAN on the basis of ineffective evidence results in plan that has not been positively prepared and adopts a strategy that is not justified. We believe the plan is capable promoting a greater level of housing delivery which will, in turn, help bring the estimated infrastructure contribution per dwelling to a more deliverable and realistic level.

This representation provides continued support and draft policy context for the development on land east of Southbourne. We consider it to provide a suitable and sustainable location for large-scale strategic residential growth and substantial associated infrastructure improvements.

The area was due for allocation within the Southbourne Neighbourhood Plan, having been initially allocated 1,250 dwellings on 'land east of Southbourne', prior to its removal post Examination (based on concerns of the Examiner over a pre-emption of the emerging local plan). Importantly, the Examiner did not conclude that the proposed allocation was unsustainable for growth or inappropriate in size, but simply that the timing of the Neighbourhood Plan was too early against the emerging Local Plan timetable which had unfortunately been delayed.

We continue to recommend that the land east of Southbourne (Policy A13 in the emerging LP) provides the most appropriate location for development at Southbourne. Indeed, the land to the east of the settlement was chosen as the most appropriate location, as opposed to the land to the west which is more constrained by the A27 and would likely result in amalgamation with the settlement of Emsworth.

We consider that the increase in the quantum of development at Southbourne from 1,050 to c1,250 not only ensures the highest level of community enhancements and infrastructure improvements for Southbourne and the wider area but also helps mitigate certain aspects of the emerging plan that risk being found unsound, including the potential for delays in housing delivery across the largest strategic sites and the potential for Chichester District to accommodate unmet need across neighbouring authorities (and within SDNP).

Considering the above, and in terms of specific policy amendments, we recommend the following policies be reworded to ensure the plan's overall soundness:

**Policy H1 – Meeting Housing Needs –** The housing requirement (10,350) for the plan period 2021-2039 must reflect Objectively Assessed Need to avoid the risk of failing to be seen as positively prepared. The evidence base on which the justification for a reduction in housing delivery is flawed and not credible. The plan fails the tests of soundness to this regard and Policy H1 should be amended in line with a reassessment of highway constraints.

**Policy H2 – Strategic Locations/Allocations 2021-2039 –** The quantum of development at Southbourne (A13) should be 1,250 to reflect the conclusions of the sustainability appraisal, the capacity within the land east of Southbourne and the importance in bringing forward all infrastructure improvements to the village and wider area.

**Policy A13 – Southbourne Broad Location for Development -** In line with the above, the total number of dwellings allocated to Southbourne should be 1,250. Further, it is recommended that a specific location is selected within Southbourne, to align with all other allocations within Chapter 10 and to avoid a significant risk to the delivery of housing. No rationale is presented as to why development in Southbourne should be delayed until the adoption of a subsequent DPD or Neighbourhood Plan. The long-term assessment and findings of the Neighbourhood Plan group and the plan examiner remain sound and should be respected and reflected in a specific and precise housing allocation for the village. We recommend this policy is rewritten to allocate 1,250 dwellings on land east of Southbourne and to align with the comprehensive masterplanning exercise that has been completed to-date. These representations bring to light a number of recommended reconsiderations with regards to the emerging local plan, these include a reassessment of the quantum of development in Southbourne, the mechanism for infrastructure funding and delivery, the contingency planning around wastewater treatment capacity and the supporting of Vision & Validate as an approach for encouraging safe, efficient and sustainable transport.

For the reasons outlined throughout, these representations also raise significant concerns that the plan as drafted, in particular the housing delivery strategy, risks being found 'unsound' on the grounds of failing to be positively prepared and lacking a fully considered highways evidence base. We believe the changes outlined above with regards to reflecting OAN and adding realistic capacity and specificity to the proposed allocation in Southbourne will help address these concerns.

**Change suggested by respondent:**

The quantum of development at Southbourne (A13) should be 1,250 to reflect the conclusions of the sustainability appraisal, the capacity within the land east of Southbourne and the importance in bringing forward all infrastructure improvements to the village and wider area.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** 27783 A5 Regulation 19 Repls Final w Appendices.pdf - <https://chichester.oc2.uk/a/s93>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Concern where Neighbourhood Plans are delayed, knock-on delay in provision of housing - suggest CDC use this opportunity to allocate sites to ensure delivery as these are strategic allocations.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Allocate sites instead of leaving to Neighbourhood Plans.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Miller and Vistry support the inclusion of West of Chichester (A6) as a Strategic Allocation under policy H2.

**Full text:**

Miller and Vistry support the inclusion of West of Chichester (A6) as a Strategic Allocation under policy H2.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** 784-A112469\_Redacted - <https://chichester.oc2.uk/a/shh>

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** DG Phillips (Bosham) Ltd and Phillips Build Ltd [1743]

**Agent:** Genesis Town Planning Ltd (Kris Mitra, Managing Director) [6993]

**Summary:**

In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City to include the site subject of these representations.

In this respect the inclusion of additional land would make a significant contribution towards the delivery of the required housing need for Chichester, providing a flexible approach to housing delivery in a sustainable, planned and progressive way.

**Full text:**

1 INTRODUCTION

1.1 These representations are to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) Consultation (hereafter referred to as the "Reg 19 Plan"). These representations have been prepared by Genesis Town Planning, on behalf of D G Phillips (Bosham) Ltd and Phillips Build Ltd as owners of the site comprising approximately 9ha of agricultural land north of Brandy Hole Lane and to the west of Plainwood Close, Chichester.

1.2 The representations also include at Appendix 1 a plan indicating the proposed amendment to the settlement boundary and the inclusion of the site as a suitable housing allocation for up to 300 dwellings. Such an allocation is proposed to address the Council's failure to adequately deliver sufficient housing through the Reg 19 Plan. The site is suitable, available and deliverable and complies with the sustainability objectives set out in the Reg 19 Plan and national policy and ensures that sites, adjacent to the primary settlement of Chichester, are appropriately considered as suitable sites to accommodate further housing.

1.3 These representations, in addition to seeking the inclusion of the site as a housing allocation and an amendment to the settlement policy boundary, also seeks to remove the proposed inclusion of the site within a strategic wildlife corridor. The inclusion of the land in such a corridor has no bearing on the characteristics of the site, its agricultural form, the fact that it is separated from the wildlife corridor to the south by Brandy Hole Lane and extensive housing development. This is an illogically thought through designation, which has paid no regard to the site character or its location and has been deliberately imposed to prevent housing development coming forward on the site. There is no wildlife, ecological or environmental features on the site, with the exception of boundary trees and vegetation, that would justify such a designation washing over the site and neighbouring land, which includes a former landfill site and a solar farm.

1.4 Accompanying these representations are the appropriate representation forms in respect of Settlement Map SB1, Map NE4b, Policy S1 and paragraph 3.7, policy H1, and Policy NE4. These forms are to be read in conjunction with this submission.

2 LEGAL COMPLIANCE

2.1 One of the requirements for the preparation of a Local Plan as set in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, (as amended) is the publication of a Sustainability Appraisal (SA) that shows how the SA has been carried out, the information that is used as part of the process and what the outcomes were. The SA is a tool for assessing how the plan, when judged against other reasonable options will help achieve environmental, economic and social objectives.

2.2 The SA suggests that there is little or no argument for setting a housing requirement above the minimum local housing need of the 638 dwellings per annum (dpa) as set by the standard method (763dpa minus 125dpa for South Downs National Park area). This approach is contrary to paragraph 11a) of the National Planning Policy Framework (NPPF) in that it requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of their area.

2.3 It is noted that paragraph 11b) confirms that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas unless this is demonstrated to be unsustainable. The background evidence base for the Reg 19 Plan does not clearly demonstrate the reasons for restricting the overall scale, type and distribution of development in the plan area or that the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

2.4 It is noted that the standard method requirement of 638dpa for the plan area is arrived at by removing 125dpa for the part of the district that falls within the South Downs National Park. The lack of any meaningful assessment for providing sufficient housing to meet the standard method figure is a significant error. Without such an assessment, the SA disregards the possibility of providing for sustainable development at the outset and does not therefore accord with the regulatory requirements referred to above.

2.5 Table 5.3 of the SA identifies a range of development scenarios with dwelling requirements for the plan area ranging from 567dpa to 606dpa. These figures result in a shortfall of between 32dpa and 71dpa when compared to the standard method requirement of 638 dpa. As neither of these figures is significantly above the standard method figure, it is not unreasonable to expect the SA to also test a housing requirement/scenario of 638dpa, so that it reflects the confirmed minimum housing need of the plan area. This would be a reasonable alternative and should be tested. Only when this has been



carried will it be possible to fully understand the likely implications of meeting housing needs in full. In doing this, the Plan will then comply with the Legal and Procedural Requirements.

### 3 SOUNDNESS

3.1 As set in paragraph 35 of the NPPF when local plans and spatial development strategies are examined they should be prepared in accordance with legal and procedural requirements to ensure that they are sound. It goes on to state that:

"Plans are sound if they are:

- a) Positively prepared – providing a strategy which, as minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant."

3.2 As set out above, the Reg 19 Plan does not provide a strategy that seeks to meet the area's objectively assessed housing need, and the SA does not test all the reasonable alternatives. On this basis the plan has not been positively prepared and is not justified. As a result it is contrary to paragraphs 35a) and 35b) of the NPPF.

3.3 In addition to this, there is no clear evidence of effective and on-going working with neighbouring authorities as part of the statutory duty to cooperate. The SoCG should be made publicly available throughout the plan making process to provide transparency. Based on paragraph 1.25 of the Reg 19 Plan this requirement has not been carried out. This confirms that a SoCG is currently being prepared and will be made available for review on the council's website. As a result, the SoCG should have been made available on the LPA's website at the time the Reg 19 Plan was published for consultation. This does not appear to have been the case, which means that this part of the plan making process does not meet the requirements set out in paragraphs 27 and 35c) of the NPPF. As such the effectiveness test has not been complied with in full. The lack of a fully detailed SoCG on the Duty to Cooperate is particularly important in Chichester District as there is a substantial unmet need for housing arising in neighbouring authorities and other nearby authorities across the same sub-region. As yet the evidence base of the Reg19 Plan does not explain or demonstrate how the unmet housing need will be met.

3.4 This is an important omission as it does not accord with the procedural requirements. Until the outcome of this process is known and fully understood it is difficult to know if or how the strategy in the Reg 19 Plan is appropriate or needs modification.

### 4 COMMENTS ON THE REG 19 DRAFT PLAN

#### Policy H1 – Meeting Housing Needs

4.1 No exceptional circumstances exist in Chichester District to justify an alternative approach that deviates from the standard method figure of 763dpa. Taking account of the South Downs National Park requirement of 125dpa results in a minimum need of 638dpa for Chichester District.

4.2 Furthermore, the housing needs of particular groups are not reflected in the current standard method requirement of 638dpa. These include the following groups:

- Students – which creates a need for an additional 29dpa;
- people who require affordable housing- which generates a need of 433 affordabled pa (based on this figure and the thresholds set out in draft Policy H4: Affordable Housing it would be necessary to deliver 1,083 homes per annum to meet affordable housing need in full); and
- the unmet housing needs of neighbouring authorities and/or authorities in the same subregion, which at best are between 10,141 and 10,620 homes.

4.3 When the needs of students are added to the standard method figure the minimum need dwelling requirement would be 666dpa or 11,988 dwellings over the 18-year plan period 20212039.

4.4 When the full affordable need of 1,083 dpa is factored in this results in a need for at least 19,494 dwellings over the plan period.

4.5 In addition to the above figures, there is also an unmet need for over 10,000 homes in related authorities over the plan period.

4.6 Based on the above there is clearly a need for significantly more homes than is suggested by the minimum standard method figure.

#### Infrastructure Capacity

4.7 Whilst it is noted that there are long-standing highway capacity issues on the A27 Chichester Bypass and more intermittent capacity problems with Wastewater Treatment facilities in the southern part of the district, these could be resolved if the emerging Reg 19 Plan made provisions to improve their capacity through proper long-term planning.

4.8 This approach is supported by paragraph 22 of the NPPF which confirms that plan-making should respond to long-term infrastructure requirements; and by paragraph 059 Ref ID 61-059 of the Planning Practice Guidance (PPG) which requires local planning authorities and policies that set out infrastructure deficiencies and how these will be addressed.

4.9 Existing capacity problems on the A27 are referred to throughout the Reg 19 Plan and its evidence base. Paragraph 5.2.11 of the SA refers to the southern plan area (i.e. the east-west corridor and Manhood Peninsula) as being highly constrained by capacity on the A27 and to detailed discussions with National Highways and West Sussex County Council (WSCC) over the course of 2019-2022 that led to a resolution that there is capacity for no more than 535dpa in this area. The background evidence does not, however, make it clear as to how the 535dpa figure was arrived at or the implications/infrastructure improvements that would be required to accommodate a higher dwelling provision in this part of the plan area.

4.10 It is important to note the "Chichester Transport Study - Local Plan Review Transport Assessment" (January 2023) prepared by Stantec is mainly focused on testing a single Local Plan spatial scenario for the period to 2039. Section 5.6 confirms that in addition to testing the 535 dpa in the south of the plan area that a sensitivity test for the delivery of 700 dpa in this part of the plan area was also carried out. Paragraph 5.6.1 confirms that higher levels of Local Plan development would enable higher levels of developer contributions to be raised towards funding the required Local Plan mitigation; and paragraph 5.6.3 comments that generally the proposed Strategic Road Network (SRN) mitigation can accommodate, in the most part, additional increase in development to 700dpa. This is reiterated in paragraph 5.6.5 where it concludes "that in the main, the 70dpa (southern plan area) demands can generally be accommodated by the mitigation proposed for the 535dpa core test although at the Portfield roundabout and Oving junction, capacity issues get worse with the 700dpa demands, with additional mitigation being required".

4.11 Paragraph 8.5 of the Reg 19 Plan comments that in 2021 National Highways confirmed that the A27 Chichester By-Pass major improvement scheme is included in the Road Investment Strategy Pipeline for the period 2025-30 (RIS3), but at this stage funding is not guaranteed. This situation is not uncommon as are many infrastructure projects which are considered necessary to support the emerging Local Plan. This is demonstrated by Table 3 of the Infrastructure Delivery Plan (January 2023). The fact that the funding has not yet been secured towards certain types of infrastructure, such as healthcare, should not be used as a reason to constrain the level of housing proposed in the emerging Local Plan. This approach also applies to

transport infrastructure.

4.12 The approach of the Reg 19 Plan to impose limits on the amount of development over the Plan period because of existing infrastructure capacity issues is inconsistent with the objectives of national policy and could undermine the prospects of securing the funding necessary to improve infrastructure capacity. The approach of the emerging plan is therefore negative worded as it has the effect of constraining the level of housing below the minimum level needed and does not accord with the PPG or the objectives of national policy. A better, and more positive approach would be to plan for the necessary infrastructure, which in turn will maximise the prospects of securing the required infrastructure instead of deferring it.

4.13 The emerging Local Plan advocates a "monitor and manage" approach such that the funding for the necessary improvements to the A27 will be monitored, which itself will jeopardise that funding, and if the funding is secured then presumably the corresponding level of housing will be released to address some of the housing need. Instead of this approach, the emerging plan should pursue a "plan, monitor and manage" approach to meeting housing needs in full by committing to the delivery of the infrastructure improvements and if necessary, phasing the housing requirements towards the end of the plan period.

The Proposed Housing Requirement

4.14 These submissions confirm that the housing needs of the plan area will not be met by the proposed 10,350 dwelling requirement set out in Policy H1 of the Reg 19 Plan.

4.15 According to the standard method the minimum housing need is 11,484 dwellings (638 x 18). When the growth of the student population (28dpa) is factored in the minimum housing need increases to 11,988 homes, and when the full affordable housing needs (433 dpa) are taken into account the overall need increases to at least 19,485 dwellings. Finally, there is a need for excess of 10,000 more homes to address the unmet needs of the sub-region.

Suggested Modification

4.16 Based on the above it is clear that the Policy H1 requirement needs to be reconsidered and increased. This can be achieved if the Local Plan seeks to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of NPPF.

4.17 In setting a revised housing requirement, the District Council must take into account the needs of particular groups (i.e., students and persons in need of affordable homes) and complete the Duty to Cooperate process by preparing a SoCG in respect of the unmet needs of the sub-region and then consider how/whether the Local Plan can provide for some of these unmet needs. In addition, the Reg 19 Plan should seek to allocate the land the subject of these representations for up to 300 dwellings to make up the shortfall identified.

Policy S1 - Spatial Development Strategy

4.18 Chapter 3 and Policy S1 of the Reg 19 Plan sets out the spatial strategy of the emerging plan.

These seek to disperse development across the plan area by:

1. Focusing the majority of planned sustainable growth at Chichester city and within the eastwest corridor;
2. Reinforcing the role of the Manhood Peninsula as home to existing communities, tourism and agricultural enterprise; and
3. Where opportunities arise, supporting the villages and rural communities in the North of the Plan Area.

4.19 An increased dwelling requirement (as suggested in the context of Policy H1 above) could be accommodated without the need to significantly alter the proposed spatial strategy of the Reg 19 Plan.

4.20 In addition to Chichester city and the east-west corridor being the primary focus of growth, additional development could be accommodated through the re-appraisal of the settlement boundaries, particularly those around Chichester City to include the site subject of these representations.

4.21 In this respect the inclusion of additional land would make a significant contribution towards the delivery of the required housing need for Chichester, providing a flexible approach to housing delivery in a sustainable, planned and progressive way.

Suggested Modification

4.22 The inclusion of land to the north of Brandy Hole Lane and west of Plainwood Close, as set out in Appendix 1 to these submissions, should be secured through an amendment to the settlement boundary on Plan SB1. Further, the site should be allocated as a suitable housing site for up to 300 dwelling units to meet the required housing need for the district.

4.23 In support of this approach the Council undertook an assessment of the site's suitability for development as part of the HELAA process in 2021. A copy of the HELAA Assessment and associated plan is contained at Appendices 2 and 3. This confirms that the site is in agricultural/ pasture use and is suitable for development subject to consideration of matters such as access, landscape and trees. The assessment goes on to confirm that there are no known constraints that would make the development unachievable in principle.

Policy NE4

4.24 Despite the above assessment, the subject site has been included within proposed Policy NE4 of the Reg 19 Plan as a Wildlife Corridor to function in conjunction with the designation of the land to the west of the strategic allocation which lies to the south of Brandy Hole Lane and the B2178. The site the subject of these representations is fundamentally distinct in character from the wooded areas to the south of the B2178 and to the west of the strategic allocation. These comprise compartmentalised fields and clusters of woodland which frame the field boundaries. In contrast, the subject site comprises agricultural land with a modest treed boundary and is largely open in character, but visually contained. The remainder of the proposed Wildlife Corridor in this location comprises open agricultural fields with limited landscape boundaries, the former landfill site at Hunters Race and the solar farm to the north. None of these areas possess the qualities of the land further to the south to justify being designated a Wildlife Corridor. Such a designation has been imposed merely as a tool to prevent further development of what would otherwise be deemed suitable land for housing.

Suggested Modification

4.25 The proposed Wildlife Corridor to the north of Brandy Hole Lane should be deleted from the Reg 19 Plan and removed from the settlement map NE4b. Furthermore, Policy NE4 requires any development within the designated Wildlife Corridor to be subject to a sequential test which places a significantly higher bar than that set out within the NPPF. The does not comprise a designated landscape, and proposed Policy NE4 fails to identify any special qualities that apply to the designated area in this location.

**Change suggested by respondent:**

Allocate site - Land to the north of Brandy Hole Lane and west of Plainwood Close for up to 300 dwelling units to meet the required housing need for the district.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Reg 19 Final Representations Doc v2 170323 - <https://chichester.oc2.uk/a/sm7>

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

#### Summary:

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

#### Full text:

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

#### Chapter 2: Vision & Strategic Objectives

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

#### Chapter 3: Spatial Strategy and Settlement Hierarchy

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

#### Policy S1 Spatial Development Strategy

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

#### Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

#### Chapter 4: Climate Change and the Natural Environment

#### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

#### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

#### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

### Chapter 5: Housing

#### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

#### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

#### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

#### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

## Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

## Chapter 6: Place-making

### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

## Chapter 7: Employment and Economy

### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period." Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

## Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council's proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE's land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

**Policy A14 Land West of Tangmere**

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

**Additional sites****Hunston**

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

**Land East of Drayton Lane**

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

**Appendix C Additional Guidance**

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

**Conclusion**

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

**Object**

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Barratt David Wilson Homes [7523]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

Land at Stubcroft Farm, East Wittering promoted.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/syq>

**Object**

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Manhood Peninsular Action Group (Mrs Joan Foster, Chairman) [7874]

**Summary:**

Is the strategy reasonable and appropriate? By assuming that infrastructure will be funded in line with land release for housing but with no phasing proposed and no commitment to fund by National Highways; despite having £15m already, [and also in relation to waste water treatment improvements from Southern Water] then it does not pass this test. Surely, infrastructure needs should be met before more land is released, but there are no strategic phasing policies for housing. As is set out in Policy H1 6386 houses are already built or committed, that is 62% of the total allocation, and equivalent to 11 years of the annual requirement, meeting more than twice the 5-year land supply requirement.

**Full text:**

Contributions to the two A27 roundabouts for the uncommitted housing, 3351, about 40% of total, is assessed at £7,728 per house at current prices. This is 4 times higher than current level of £1,803. Nowhere does there appear to be an assessment as to whether this is viable for the land developers and house buyers. Viability is a key test with regard to deliverability but the Plan is silent on this key issue. So, is the plan deliverable? Does it further price first-time buyers out of the market. Chichester has already one of the highest Ratio of Affordability in Sussex .

**Change suggested by respondent:**

It is proposed therefore that Policy H2 Strategic Locations/Allocations 2021- 2039 be amended so that the following strategic sites: A2, 4, 5, 8, 10, 11 and 13 are only released one year after work commences on the A27 improvements at the Fishbourne and Bognor roundabouts, and, where appropriate, waste water treatment works.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Outline of Objection - <https://chichester.oc2.uk/a/smh>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Landlink Estates Ltd [1764]

**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]

**Summary:**

Objection to policy on grounds that it has failed to be properly assessed in line with The Environmental Assessment of Plans and Programmes Regulations 2004 - Regulation 12; unjustified removal of strategic housing site at Selsey - removing site from plan condemns population of Selsey relying on B2145 to effective abandonment; reasonable alternatives not tested in SA. Supporting evidence for Selsey site attached.

**Full text:**

See attachments.

**Change suggested by respondent:**

To make the plan sound the strategic site at Selsey needs to be reinstated in the plan with commensurate testing in the SA. The allocation would need to ensure that the development deals with flood resilience for access and egress to the B2145 in a proportionate way, working with the relevant agencies. The significant benefits of providing (partial) flood resilience to the wider community of Selsey needs to be recognised as part of the planning policy balance.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sjr>

1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>

3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>

Email Trail - <https://chichester.oc2.uk/a/sj3>

2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>

4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>

5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>

6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>

6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>

8. Archaeological DBA - <https://chichester.oc2.uk/a/sj9>

12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>

13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>

13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>

13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>

14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>

7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>

11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>

9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>

10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>

Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>

Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>

## Support

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway welcome the inclusion of the Southern Gateway as an allocation for 180 dwellings, albeit for the reasons set out in relation to draft Policy H1 above, the anticipated numbers should be prefixed by at least or approximately. Consideration should be given to the timing of any intervention, should the Neighbourhood Plans not progress in a timely manner. This would provide clarity for all concerned. Subject to these modifications, Bellway contend that policy H2 has been positively prepared, is fully justified and effective.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>



## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Jennifer Asser [6438]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

As the Non-Strategic Parish Housing requirements set out in this policy are based on the dwelling requirement set out in Policy H1 which itself fails to provide for the housing needs of the plan area it has not been positively prepared. In addition it does not take into account the unmet needs of neighbouring authorities or nearby authorities in the same sub-region and as such is not effective. As a result of these inadequacies Policy H2 is not consistent with national policy, and overall it does not comply with the tests of soundness.

**Full text:**

See representations

**Change suggested by respondent:**

When revised dwelling requirement is established for Policy H1, consideration will need to be given to either increasing amount of strategic allocations in Policy H2, and/or increasing housing figure in Policy H3. Settlement of Westbourne is a sustainable location for additional development, recognised by allocations in previous Local Plans and more recent housing allocations in 'made' Westbourne Neighbourhood Plan 2021, less likely to generate traffic movements on the A27 Chichester Bypass. Land at Monks Hill (HWE0014) would make ideal extension to the settlement. Has been assessed as potentially suitable/developable and capable of delivering about 125 dwellings by the Housing and Economic Land Availability Assessment 2021. [see plan within attachment]

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Policy H1 - <https://chichester.oc2.uk/a/sk8>

Policy H2 - <https://chichester.oc2.uk/a/sk9>

Policy H3 - <https://chichester.oc2.uk/a/skv>

Policy T1 - <https://chichester.oc2.uk/a/skb>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mr AJ Renouf, Mr DA Renouf, & Mrs SJ Renouf [8137]

**Agent:** Rodway Planning Consultancy Ltd (Mr Tim Rodway, Partner) [7335]

**Summary:**

Sites submitted. Lansdowne Nursery Oving, 48 dwellings. Sherwood Nursery Oving 15 dwellings.

**Full text:**

See attached.

**Conclusion**

In light of all the above we contend that Sites HOV0006 (Sherwood Nursery) and HOV0012 (Lansdowne Nursery) should be reconsidered for allocation for housing development in the Draft Plan. The Sites are positively assessed in the HELAA, and are situated adjacent to existing consented and planned allocated sites. This area is clearly suitable for new housing. The Sites are previously developed and provide an opportunity for new housing in a sustainable location, without encroaching onto greenfield land. In this context the natural next step would be to add the Sites to the draft Plan as additional site allocations for residential development.

We put these two sites forward with the intention to provide high quality housing in an area with an identified need. We have made it clear in the above representations that the Sites are eminently available, sustainably located and can provide much needed new residential units.

The District Council's proposed housing figures for the Plan period are considered to be insufficient to meet the needs of the District when the significant unmet needs of adjacent and other nearby authorities are taken into account.

In this context, the broad location of Shopwhyke (east of Chichester) is acknowledged as being a sustainable location in the context of Chichester District, and we consider that it should be aiming to provide an increased housing figure during the Plan period.

The Sites are unconstrained by any landscape or other planning designations. The work that has been undertaken, and the conclusions of which clearly identify that the Sites are suitable for development.

We contend that Sherwood Nursery should be removed from the Strategic Wildlife Corridor designation for the reasons we have set out.

In its current form, we contend that the Draft Plan does not meet soundness tests insofar that it does not positively contribute to the achievement of sustainable development, and nor does it comply with the strategic policies of the area, by failing to provide a sufficient quantum of housing.

**Change suggested by respondent:**

Allocate submitted sites.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mrs Joyce King [7961]

**Summary:**

Objection to Loxwood figure on open space and infrastructure grounds.

**Full text:**

Re the strategic and Area based policies in connection with the above plan.

I have read the proposal from the CDC regarding the development in Loxwood, and I strongly object to it.

Over 200 new houses will not enhance our village. It is mentioned they want to create open spaces and trees, we have exactly that now. We have open spaces and beautiful trees, and views already, just leave nature as it is.

We have no bus service to speak about.

No spaces in the Primary School

The Medical Centre struggles to cope with the present residents.

The Post Office and General Store is closed.

It is hardly safe to walk through the village with no proper pavements, while the heavy traffic thunders through.

We have no industry or jobs for newcomers, so they will have to commute out of the village and create heavier traffic.

I cannot see any reason to build so many houses, so as I mentioned I object to this proposal.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Mr John King [6844]

**Summary:**

Object to development at Loxwood on grounds that: water demand will cause further drop in pressure unless water supply is addressed; as no plan to upgrade wastewater and sewage systems, more tanker shipments will bring increased traffic, danger of spillages and damage to environment; doubtful if reliable and viable adequate bus service could be provided, rural bus services are diminishing not increasing; Medical Centre at or beyond capacity; threat to open views; no manufacturing or service industry of any size in Loxwood or nearby - need to travel for work or shopping not good for Climate Change.

**Full text:**

I refer to the above Local plan as published 3rd February 2023 and in particular to the Strategic and Area Based Policies and sections of Policy A15.

I object to further development of Loxwood Village by the addition of a minimum of 220 houses as included in the above referred to plan.

I make the following comments and observations on which my objection is formed.

1. Water supply. The present water supply to Loxwood village is just about adequate. Whenever a new house is completed we suffer a notable and permanent drop in water pressure so much so that care has to be taken to ensure only one water outlet eg shower is in use at one time. Further water demand will cause further drop in pressure unless the matter of supply is addressed, water neutrality does not appear to be working.
2. Waste water and sewerage. Some is being removed by tankers from recent developments. As there appears to be no plan to upgrade the wastewater and sewage systems more tanker shipments can be anticipated along with increased traffic, danger of spillage and damage to the environment.
3. Public transport. At present we are served by one bus a day on four days a week. Inevitably with an increase in population a full service would be required if traffic reduction is to be achieved in an effort to promote climate control. I doubt if a reliable and viable adequate bus service could be provided. It appears rural bus services are diminishing not increasing.
4. Medical Centre. This appears to be at or beyond capacity given time required to obtain an appointment with a doctor. Doctors seem to change very frequently.
5. Open Views. I can't agree that more building will give greater views.
6. Employment. No manufacturing or service industry of any size in Loxwood or nearby. Any new population would have to travel for work, Similarly no shop means travel for shopping. Not good for Climate Control.

For the above reasons I am against any further housing development in Loxwood.

**Change suggested by respondent:**

Matter of water supply needs to be addressed, water neutrality does not appear to be working.

Increase in population requires a full bus service if traffic reduction is to be achieved in an effort to promote climate control.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Tim Swann [8149]

**Summary:**

CDC have not consulted on revised housing numbers in North of the district-it quote the restrictions of the A27 which prevents the southern development however the A281 is a bigger constraint which will also have Dunsfold adding pressure.

Allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood-it a huge Percentage increase and will destroy the village.

**Full text:**

I feel very strongly the local plan is ill thought through and a unbalanced distribution of houses that doesn't reflect the nature of rural villages. Loxwood is a rural village with no public transport links that are usable for the working population, no work opportunities, a serious lack of sewage capacity, no local grocery shop and yet the council deem it suitable for over 312 houses which will give a 50% increase in dwellings and a potential for significantly more as a 'strategic' location-it is completely bonkers. We are not a town!

It is also very disrespectful of the council to ignore our latest neighbourhood plan-we have accepted the national need for additional houses and have spent significant time and funds to produce this. It has completely demoralized the parish council and make a mockery of the whole process.

I have included my comments below why i believe this is not a viable plan for the council.

CDC have not consulted on revised housing numbers in North of the district-it quote the restrictions of the A27 which prevents the southern development however the A281 is a bigger constraint which will also have Dunsfold adding pressure.

Allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood-it a huge Percentage increase and will destroy the village.

CDC Sustainability Appraisal is weak in its justification for allocation of 220 houses

There is no viable bus, lack of sewerage capacity, a village school, shops to support large increase in housing

Policy A15 should be removed and Policies H2 and H3 amended to reflect a realistic allocation of 125 houses which is still generous compared to other local area with better services.

Loxwood should not be deemed to be a strategic location-it is a small rural village

LPC have spent time and effort to create a Revised Neighbourhood Plan which allocates 126 houses plus 17 carried forward from the Made Neighbourhood Plan giving 143 houses. It has reached Regulation 14 consultation stage and is based upon the Preferred Approach Local Plan consultation. The residents of the Parish and Loxwood Parish Council have satisfied themselves through evidence gathered that 126 homes is a sustainable allocation given the constraints that exist-it should not be ignored due to water neutrality issues

This protects the village and the community and reflects the importance of Neighborhood plans for Loxwood and the rest of the country -there is a process and it should be respected otherwise it makes a mockery of the whole planning system and developers win every time.

Please can you protect the rural nature of this county and vote against plan.

**Change suggested by respondent:**

Policy A15 should be removed and Policies H2 and H3 amended to reflect a realistic allocation of 125 houses which is still generous compared to other local area with better services.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Richard Hedgecock [8159]

**Summary:**

There is 'over development' as stated in the sustainability assessment (p90) which makes the Local Plan not legally compliant. Tangmere Parish Council has the figure of [unclear] houses in the village of Tangmere as a whole at 1156. The sheer number of proposed houses (increased to 1300) is disproportionate and excessive - it will increase the number of houses in one area by over double. This is an overdevelopment and not in keeping or sympathetic with an area which has conservation status.

**Full text:**

See attached representations

**Change suggested by respondent:**

Reduce the number of houses so that the density is significantly lowered and is not concentrated in one area to 'dwarf' existing houses at Saxon Meadow

**Legally compliant:** No

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Representation from Richard Hedgecock - redacted - <https://chichester.oc2.uk/a/sz8>

## Support

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** The Birkett Family [8175]

**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]

**Summary:**

For clarity, our client does not object to this allocation, but supports it as it shows that Tangmere is a location that can be seen to grow.

**Full text:**

These representations are made on behalf of our client, the Birkett Family and the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version.

**Background**

The Birkett Family are local landowners who live in Easthampnett. They own approximately 44 acres of farmland to the west of Easthampnett which is edged red at Enclosure 1. The land has been promoted intermittently to Chichester District Council but they wish to confirm to Chichester District Council and the Inspector that the land is available for development should they consider Tangmere as an area for additional growth.

**Site suitability**

The land comprises farmland which could be redeveloped to meet a local housing need. Although limited work has been undertaken to date, the landowner is in the process of negotiating to enter into an agreement with a developer / promoter to promote the land to Chichester District Council to ensure it is deliverable.

Therefore, in time and at the request of the Council or Inspector, additional reports and surveys could be provided to support any future housing allocation. However, a highways appraisal has been undertaken, and access to the site is achievable and this can be provided at request.

**Soundness**

Policy H2 of the Chichester Local Plan allocates 1,300 dwellings at the Tangmere Strategic Development Location. This site has an outline permission and is subject to a Compulsory Purchase Order. For clarity, our client does not object to this allocation, but supports it as it shows that Tangmere is a location that can be seen to grow.

Policy H3 does not allocate any additional housing to Tangmere Parish other than the Strategic Development Location. It is considered that along with the strategic development to the West, that our client's land to the East of Tangmere can provide additional housing in Tangmere.

We trust our comments will be considered as part of the Local Plan review, and please do not hesitate to make contact if you require anything further.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Supporting representations - <https://chichester.oc2.uk/a/sn9>  
Form redacted - <https://chichester.oc2.uk/a/snv>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Object to Land at Maudlin Farm, Westhampnett' - did not feature at Regulation 18 stage. SA stated Southbourne development unlikely to be deliverable in first 5 years. Planning Ref. SB/22/01283/FULEIA for 'Land at Harris Scrapyard & Oaks Farm', (discrete land parcel of proposed BLD) would provide delivery of at least 50 dwellings in period to 2026 and 103 dwellings by 2027. Southern Water have confirmed suitable foul drainage can be accommodated for the development. SA therefore incorrect as proposed development can provide early housing delivery as part of BLD. If this is the reason for introducing an allocation at Maudlin Farm, and altering spatial strategy, at this late stage in the plan-making process, then Spatial Strategy is flawed.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>  
Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** The Sadler Family [8181]

**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]

**Summary:**

Consideration of omission site (HELAA reference HCC0038) Land north of New Bridge Farm for 264 dwellings, adjacent to site allocation A6 West of Chichester.

**Full text:**

These representations are made on behalf of our client, the Sadler Family who wish to Policy NE4 of the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version.

**Background**

Our clients own approximately 17 acres of farmland at Salthill Park which is edged red at Enclosure 1. The land has been promoted at all relevant opportunities to Chichester District Council but wish to confirm to Chichester District Council and the Inspector that the land is available for development.

**Site suitability**

The land is edged red in Appendix 1 of this statement and is identified as land east of Salthill Road. It has been identified in the HELAA under site ref HCC0038, Land north of New Bridge Farm for 264 dwellings. The land consists of agricultural land and a well-defined landscape boundary on all sides. The land immediately adjoins site allocation A6 West of Chichester for 1,600 units. Phase 1 of this land now has detailed permission, whilst the reserved matters for Phase 2 is being considered by Chichester District Council. In addition, we are also promoting part of an additional parcel of land to the south of this which is referenced HCC0038 in the HELAA.

Our clients have promoted the land at all opportunities and wanted to continue to make Chichester District Council and the Inspector aware of its availability.

**Policy NE4**

The policy is considered to be unsound, inconsistent national policy and is unjustified.

The owners object to these Strategic Wildlife Corridor (SWC) locations. The Council has not published its evidence base in the Regulation 19 consultation version for applying this new constraint layer. It states 'significant habitat surveys, data collection and evidence gathering to enable the mapping of the proposed corridors' has been undertaken, but it is not available to review for the Regulation 19 consultation.

Nor do the Council state the current use of these corridors, some are arable farmland and therefore do not necessarily present the best place for blanket 'additional layer of planning restraint' wildlife corridor. The Council have also not considered that these sites could have future development potential and maybe some of the better and more sustainable (with minimal other constraints) for future development in terms of sequential testing and are therefore precluding sustainable future development in these locations without having undertaken a proper assessment of all sites in the District.

The built environment and nature can work in unison and doesn't require blanket policy designations. Furthermore, the Council have not fully set out the methodology for applying a blanket 'strategic wildlife corridor' at the locations it proposes in the changes to the policy map. The Council have not fully consulted those affected by SWC and other stakeholders. The Council is further applying yet another restrictive 'additional layer of planning restraint' in a District which is already highly constrained, for example AONB, extensive areas covered by a National Park, the District contains large numerous ecological designations SSSI/SPA, Local Nature Reserves/National Nature Reserves and Nutrient Neutrality applies.

Accordingly, this further constraint, which appears to be located in areas adjacent to the existing settlements, where logically future periods of Plan growth would be located, appears unjustified and inappropriate in its current form.

**Change suggested by respondent:**

Consideration of omission site (HELAA reference HCC0038) Land north of New Bridge Farm for 264 dwellings, adjacent to site allocation A6 West of Chichester.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/spt>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Landowner - Land At Farmfield Nurseries [8187]

**Agent:** Mission Town Planning Ltd (Alex King) [8186]

**Summary:**

Objection to Hunston no longer having housing allocation.

Site submission - Land At Farmfield Nurseries, Selsey Road 200 dwellings.

**Full text:**

Mission Town Planning Ltd, have been engaged by a client to make representation to the emerging Chichester District Council Local Plan consultation closing on 17th March 2023.

We have been commissioned to make representations on the plan so far as it impacts sites that are of interest to my client, specifically with Hunston, and the site to the south of the village known as Land At Farmfield Nurseries, Selsey Road. The site was provisionally proposed for allocation with the Hunston Neighbourhood Plan, which was the only allocated site proposed under policy H1. This was for the provision of a minimum of 200 homes.

This in part was in response to the Chichester District Council Regulation 18 plan which was set out within proposed policy AL11, which will not specifying a site proposed an allocation within Hunston of a minimum of 200 dwellings.

**Representations**

These Representations are focused solely on matters of direct relevance to my client's land interest within Chichester District Council's authority.

We have set out these Representations by reference to the relevant chapter or subject heading in the proposed Local Plan along with reference to the specific policy and page number where appropriate.

While we note that the Council have used a web-based system, we have endeavoured to address those elements that are relevant to the site mentioned above.

The purpose of this representation is to comment solely in relation to the omission of allocation within Hunston.

As a starting point it is worth noting that the regulation 18 consultation identified a need of 12,478 dwellings over the plan period this being from 2016 to 2035. During the period from this regulation 18 consultation being undertaken, and now the regulation 19 consultation the Council have consistently been unable to demonstrate a five year housing supply, this currently standing at 4.74 years, with a requirement of 3,350 from 2022-2027.

The regulation 19 consultation has now reduced this number to 10,359 units. The reasoning for this is set out within Chapter 5 of the consultation, where it notes constraints particularly the A27 capacity as a barrier to allow for the requisite amount of growth meaning that the Council is below the requirements of the standard method.

The national planning position set out within the NPPF (National Planning Policy Framework) at paragraph 61 which states;

To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method

in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and

market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

While the provisions of the emerging NPPF are noted, this was a consultation document and is not yet/ may not be planning policy.

From the submission while the constraint of the A27 is noted this is not beyond mitigation and the fact that Highways England are, and have sought contributions to rectify this would suggest that this would not constitute an exceptional circumstance. Moreover, the plan further states that it is a strategic objective to mitigate the impacts on the A27.

In the period between the preferred approach (reg 18) and this approach (reg 19) the plan notes that, there has been moderate growth, and again notes the constraints, although these remain ambiguous. It is noted that the moderate growth was still not sufficient to deliver a 5 year housing land supply.

Within the consultation plan, it is shown within Map B1 – Areas designated as Rural and Non Rural Area's that Hunston is within the non-rural area. Given this it seems perverse to then remove and form of allocation for housing within this designation urban area.

The issue then comes that the defined settlement boundary as per the Site Allocation DPD adopted 2019, would considerably restrict any housing growth when taken in context of the emerging plan and its policy on developments outside of the settlement boundary, i.e. within the countryside.

Such an approach to proposal reducing housing numbers following consistent under delivery and to allow no mechanism to allow for sites to be considered will simply fail to the housing people and families need. The over reliance on larger and strategic sites, which have been bought forward from previous plans shows the significant issues with their historic lack of delivery and indeed whether they should be consider within the plan in the first place.

I would urge the Council to consider its approach to housing delivery and its obligations to delivery much needed family housing. Every borough and district will have to contend with constraints, however there exists a statutory duty to deliver housing.

The National Housing Federation "People in housing need 2021" report summarises that;

- 8.5 million people in England have some form of unmet housing need.
- For 4.2 million of these people (around 1.6 million households) social rented housing would be the most appropriate tenure to address that need.
- This is around half a million more families than the 1.1 million households currently recorded on official waiting lists.
- Two million children in England (1 in every 5) are living in overcrowded, unaffordable or unsuitable homes.
- 1.3 million of these children are in need of social housing, as this is the only suitable and affordable type of home for their families.
- Overcrowding is the largest problem nationally, affecting nearly 3.7 million people

**Summary**

I trust that these Representations are of assistance in considering the current drafting and submission of the Local Plan. My client would request that we continue to be engaged in the plan making process and we look forward to hearing from you with regard to the next steps.

**Change suggested by respondent:**

Consideration of Land at Farmfield Nurseries, Selsey Road, to address housing need.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** NR-CDCLPREG19-Hunston-170323-MTP\_Redacted.pdf - <https://chichester.oc2.uk/a/sp4>

## Object

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Beechcroft Developments Limited [8188]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

An increased dwelling requirement could be accommodated without the need to significantly alter the proposed spatial strategy. Additional development could be accommodated at less constrained Service Villages in northern parts of Manhood Peninsula. Not all of Manhood Peninsula is affected by challenges. Hunston is relatively unconstrained compared to other parts of Manhood Peninsula. Hunston has good accessibility to road network. Additional development at Hunston would be consistent with Policy T1. Hunston has been, and continues to be, a sustainable location for new development. Previous work on emerging Local Plan and now withdrawn Neighbourhood Plan demonstrate that it is capable of delivering at least 200 homes during Plan period. Site promoted at Land at Hunston Village Dairy.

**Full text:**

See attachments.

**Change suggested by respondent:**

Make a strategic scale allocation as part of Policy H2; set a housing figure of at least 200 homes for Hunston in Policy H3 which could be delivered as part of Neighbourhood Plan process.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp5>

Appendix 1 - Representations on Housing Requirement and Supply - <https://chichester.oc2.uk/a/sp6>

Appendix 2 - Statement of Representations - A27 Mitigation Contributions - <https://chichester.oc2.uk/a/sp7>

## Support

**Document Element:** Policy H2 Strategic Locations/ Allocations 2021 - 2039

**Respondent:** Chichester District Council Housing Team - Local Housing Authority (Mark Bristow) [7764]

**Summary:**

The strategic locations are broadly located in areas where the Council held Housing Register indicates the highest level of housing need.

**Full text:**

Chichester Local Plan – Proposed Submission

Duty to Co-operate

The Statutory Housing Authority welcomes the opportunity to comment on the Chichester Local Plan 2021 – 2039 and strongly commends the Local Planning Authority on progressing with its plan-making activities at a time when a number of Local Planning Authorities across the country have stalled owing to a state of flux in the national policy picture.

Chichester District Council Housing Authority considers that the Chichester Planning Policy Team have engaged in a pro-active manner in an ongoing basis to meet the needs of our communities. Furthermore, the authority has been consulted throughout in the crafting of the proposed housing policies H1 – H10 and confirm that the Duty to Co-operate has been met in this regard.

Is it legally compliant?

The Housing Authority consider the plan as presented, to be legally compliant and have no specific comments in relation to the Sustainability Appraisal, Habitats Regulations Assessment or the Statement of Community Involvement.

Soundness

The Housing Authority is satisfied that the plan is positively prepared and seeks to meet the housing need for both market and affordable housing, so far as is practicable, whilst having consideration for the various constraints of the plan area including AONB designation, heritage matters, flooding matters and infrastructure capacity issues. The Housing Authority believe the plan seeks to balance between these competing demands in a sustainable and realistic manner for the plan period 2021 -2039.

The Housing Authority consider the plan provides for a reasonable evidence based strategy which is consistent with national planning policy and guidance and contributes to the delivery of sustainable development, having regard to the reasonable alternatives available.

Meeting housing need

The Housing Authority considers the plan meets housing need so far as is realistically possible considering the constraints of the plan area.

Policy H1, including the Broad Spatial Distribution - is noted.

Policy H2, the strategic locations are broadly located in areas where the Council held Housing Register indicates the highest level of housing need.

Policy H3 - is noted.

Policy H4 – The Housing Authority fully endorse and support the provisions contained in Policy H4.

Policy H5 - The Housing Authority is supportive of the housing mix outlined in policy H5 and the ability to reflect local need where it is appropriate to do so. Furthermore it is right to provide this level of certainty, whilst allowing for some degree of flexibility.

Policy H6 - The Housing Authority are in full support of this policy and fully endorse the opportunity for Neighbourhood Planning groups to bring forward Self and Custom Build serviced plots. The Housing Authority are encouraged by the potential that may arise with the call for sites for such plots. We look forward to working with our colleagues and communities to bring forward Self and Custom Build opportunities within the plan area.

Policy H7 - The Housing Authority recognise the difficulties in bringing forward exception sites for affordable housing and welcome this policy which seeks to enable the needs of our rural communities to be met.

Policy H8 - The Housing Authority strongly advocate for the inclusion of specialist accommodation for older people, and the intention is to secure affordable housing across all specialist accommodation for older people, including Extra Care to meet the needs of those unable to secure such accommodation in the open market.

H9 – The Housing Authority support the policy to retain accommodation for rural workers.

H10-H14 – The Housing Authority has no observations to make in relation to these policies.

**Change suggested by respondent:**

None

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Non-strategic Parish Housing Requirements, 5.7

**Respondent:** Mr simon urry [7840]

**Summary:**

This point states.. "it is intended that such new housing should generally be directed primarily towards the larger, more sustainable settlements." .. In order to accommodate the proposed 75 new homes, Wisborough Green will have grown from just 636 homes in 2011, by over 20%. This growth does not comply with the stated aim.

**Full text:**

This point states.. "it is intended that such new housing should generally be directed primarily towards the larger, more sustainable settlements." .. In order to accommodate the proposed 75 new homes, Wisborough Green will have grown from just 636 homes in 2011, by over 20%. This growth does not comply with the stated aim.

**Change suggested by respondent:**

The plan should stick to its stated objective of utilising urban development and not be distracted by alternatives when the original aim is achievable with a little more input.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Non-strategic Parish Housing Requirements, 5.7

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement. A NP review has been started and has been through Regulation 14 based upon the earlier allocation of 40.

**Full text:**

WGPC supports this statement. A NP review has been started and has been through Regulation 14 based upon the earlier allocation of 40.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr Andrew Barton [7826]

**Summary:**

I live in East Wittering and one of the things which has become very apparent over the last few years is the number of properties, including new builds on larger estates, which are being bought as investment properties and especially for holiday lets. This is pushing house prices higher and excluding local people and families from getting on the property ladder.

**Full text:**

I live in East Wittering and one of the things which has become very apparent over the last few years is the number of properties, including new builds on larger estates, which are being bought as investment properties and especially for holiday lets. This is pushing house prices higher and excluding local people and families from getting on the property ladder.

There needs to be a mechanism in planning to only allow residential occupation by local residents.

**Change suggested by respondent:**

There needs to be a mechanism in planning to only allow residential occupation by local residents.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Screenshot 2023-02-15 at 23.10.35.png - <https://chichester.oc2.uk/a/qh>



## Support

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr Andrew Barton [7826]

**Summary:**

Support in principle

**Full text:**

I live in East Wittering and one of the things which has become very apparent over the last few years is the number of properties, including new builds on larger estates, which are being bought as investment properties and especially for holiday lets. This is pushing house prices higher and excluding local people and families from getting on the property ladder.

There needs to be a mechanism in planning to only allow residential occupation by local residents.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Screenshot 2023-02-15 at 23.10.35.png - <https://chichester.oc2.uk/a/qh>

## Support

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Fishbourne Parish Council (Parish Clerk) [915]

**Summary:**

Support in principle

**Full text:**

After 'If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the Council' a line should be added to say 'after checking deliverability with the parish council concerned'.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr Michael Rankin [7846]

**Summary:**

We have lived in Wisborough Green for 23 years in this beautiful village. We strongly object to the additional 75 houses. Our village's infrastructure cannot support further development due to the lack of public transport, sewage, roads, medical facilities, schools, water. We have 3 brownfield sites already allocated. Any further development would be on greenfield sites. CDC has been dithering and indecisive and want to overload the NE parishes. This is due to the debacle surrounding the upgrading of the A27 which is going to drag on for many years. Homes are needed in the southern area not the northern.

**Full text:**

We have lived in Wisborough Green for 23 years in this beautiful village. We strongly object to the additional 75 houses. Our village's infrastructure cannot support further development due to the lack of public transport, sewage, roads, medical facilities, schools, water. We have 3 brownfield sites already allocated. Any further development would be on greenfield sites. CDC has been dithering and indecisive and want to overload the NE parishes. This is due to the debacle surrounding the upgrading of the A27 which is going to drag on for many years. Homes are needed in the southern area not the northern.

**Change suggested by respondent:**

The allocation of houses to be fairly distributed.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039  
**Respondent:** Hunston Parish Council (Carol Smith, Parish Clerk) [1096]

**Summary:**  
 Hunston Parish Council is pleased to see the withdrawal of the strategic housing allocation for Hunston and the rest of the Manhood Peninsula.

**Full text:**  
 Hunston Parish Council is pleased to see the withdrawal of the strategic housing allocation for Hunston and the rest of the Manhood Peninsula.

**Change suggested by respondent:**  
 -

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039  
**Respondent:** Mr simon urry [7840]

**Summary:**  
 Object to development at Wisborough Green on the basis of conflict with proposed Policy NE16.

**Full text:**  
 With respect to Wisborough Green Water Quality and Waste Water...  
 a) There will be adverse impact from additional sewage spilling into adjacent water bodies and groundwater.  
 b) Additional sewage spilling will adversely affect surface and ground water quality.  
 d) Significant wastewater infrastructure improvement is required to properly cope with the current load. As per this Policy, additional housing development must align with the infrastructure development.

**Change suggested by respondent:**  
 -

**Legally compliant:** Yes  
**Sound:** No  
**Comply with duty:** Yes  
**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039  
**Respondent:** Fishbourne Parish Council (Parish Clerk) [915]

**Summary:**  
 After 'If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the Council' a line should be added to say 'after checking deliverability with the parish council concerned'.

**Full text:**  
 After 'If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the Council' a line should be added to say 'after checking deliverability with the parish council concerned'.

**Change suggested by respondent:**  
 After 'If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the Council' a line should be added to say 'after checking deliverability with the parish council concerned'.

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039  
**Respondent:** Mr John Gough [7884]

**Summary:**  
 For our village, Wisborough Green, to allocate an extra 75-houses is not really small-scale.  
 The present infrastructure is inadequate and new residents will probably need a car to live here.  
 The danger here includes the spoiling of the character of the village.

**Full text:**  
 For our village, Wisborough Green, to allocate an extra 75-houses is not really small-scale.  
 The present infrastructure is inadequate and new residents will probably need a car to live here.  
 The danger here includes the spoiling of the character of the village.

**Change suggested by respondent:**  
 Allow the democratic process within the Neighbourhood Plan to decide what is best for small villages.

**Legally compliant:** Yes  
**Sound:** No  
**Comply with duty:** Yes  
**Attachments:** None

**Object**

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr Joseph O'Sullivan [35]

**Summary:**

East Wittering has been allocated zero for Non Strategic Parish Housing Requirements for 2021-39 but we do have a need, at least for affordable and social housing in this period. Witness the number of local people waiting on the Chichester Housing waiting list.

**Full text:**

East Wittering has been allocated zero for Non Strategic Parish Housing Requirements for 2021-39 but we do have a need, at least for affordable and social housing in this period. Witness the number of local people waiting on the Chichester Housing waiting list

**Change suggested by respondent:**

For the period 2021-39 East Wittering will be allocated at least the estimated number of social and affordable housing which will appear on the Chichester Housing waiting list over this period.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mrs Valerie Mourilyan [7897]

**Summary:**

I RELUCTANTLY support the allocation of 75 houses but WG has NO INFRASTRUCTURE to support ANY additional housing. We DO NOT have a doctors' surgery, dentist, sports centre, supermarket, petrol station - to access any of the aforementioned requires the use of a car, contrary to LP policy. The village primary school is not only at capacity but in excess of 70% of pupils come in from surrounding villages by car, again, contrary to LP policy. We only have one small top-up shop. Sewage treatment and electricity supply are under pressure plus there is ABSOLUTELY no mobile signal.

**Full text:**

I RELUCTANTLY support the allocation of 75 houses but WG has NO INFRASTRUCTURE to support ANY additional housing. We DO NOT have a doctors' surgery, dentist, sports centre, supermarket, petrol station - to access any of the aforementioned requires the use of a car, contrary to LP policy. The village primary school is not only at capacity but in excess of 70% of pupils come in from surrounding villages by car, again, contrary to LP policy. We only have one small top-up shop. Sewage treatment and electricity supply are under pressure plus there is ABSOLUTELY no mobile signal.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Support**

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mrs Valerie Mourilyan [7897]

**Summary:**

Support in principle, but concerns re lack of infrastructure. See representation 4013.

**Full text:**

I RELUCTANTLY support the allocation of 75 houses but WG has NO INFRASTRUCTURE to support ANY additional housing. We DO NOT have a doctors' surgery, dentist, sports centre, supermarket, petrol station - to access any of the aforementioned requires the use of a car, contrary to LP policy. The village primary school is not only at capacity but in excess of 70% of pupils come in from surrounding villages by car, again, contrary to LP policy. We only have one small top-up shop. Sewage treatment and electricity supply are under pressure plus there is ABSOLUTELY no mobile signal.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Loxwood (Mellow) Ltd [7870]**Agent:** Ms Megan Smith [7858]**Summary:**

We consider the approach of housing allocation and defining settlement boundaries via neighbourhood plans and parish allocations to be 'ineffective' and 'unjustified'.

In relation to Loxwood for example, the settlement boundary as defined by the Neighbourhood Plan is not representative of the current village and its settlement, or suitably reflective of the levels of housing growth and allocations required.

Whilst it is agreed that Loxwood should be subject to non-strategic housing allocations, we cannot support this Policy H3, based on its reliance on Policy H2 and neighbourhood plan allocations.

**Full text:**

Please refer to attached supporting document. Policy H3 is discussed on page 13.

**Change suggested by respondent:**

The Local Plan should allocate sites at a District Level, and not delegate to Neighbourhood Plans.

**Legally compliant:** No**Sound:** No**Comply with duty:** No

**Attachments:** 7093 - PL-15A - Location Plan.pdf - <https://chichester.oc2.uk/a/srf>  
Written representation letter - <https://chichester.oc2.uk/a/s3y>

**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Loxwood (Mellow) Ltd [7870]**Agent:** Ms Megan Smith [7858]**Summary:**

Site submission Land South West of Willets Way, Loxwood.

**Full text:**

As with Policy S1, we are in agreement with the Draft Local Plan defining Loxwood as a 'Service Village' in terms of settlement hierarchy with a need to direct growth to the most accessible and best-connected locations, including villages with good public transport options.

We seek to acknowledge the policy discussion on settlement boundaries, and support the presumption in favour of sustainable development within the settlement boundary of service villages.

However, we consider the Draft Local Plan to be 'ineffective' and 'unjustified' in this respect by giving the power to define the Settlement Boundaries to Neighbourhood Plans. The Draft Local Plan cannot be 'positively prepared' when suitable, available and achievable sites are left fragmented and overlooked by Parish Councils creating piecemeal plots outside of the settlement boundary for often unjustified reasons, the Neighbourhood Plan process being subject to lesser scrutiny (having only to meet basic conditions) than local plans.

In line with our comments on Policy S1 – Spatial Development Strategy, the local plan should both allocate non-strategic sites and define settlement boundaries around the District if it is to meet its role and purpose under the NPPF.

In relation to Loxwood for example, the settlement boundary as defined by the Neighbourhood Plan is not representative of the current village and its settlement, or suitably reflective of the levels of housing growth and allocations required. The current settlement boundary is shown below in the Settlement Boundary (Loxwood Neighbourhood Plan Reg 15) (Figure 4). The settlement boundary fails to include the Land South West of Willets Way which was found in the Housing Economic Land Availability Assessment (HELAA) to be suitable, available and achievable for up to 10 units (HLX0006). The site is clearly sustainable, being close to the village centre, and associated services but was excluded for unjustified reasons through the previous Neighbourhood Plan process.

Furthermore, the settlement boundary also excludes the High Street and associated residential properties to the south of the village centre which are historically and currently part of the village. The historic map shown below (Historical Ordnance survey map dated 1912) shows the small settlement of Loxwood at that time with the junction of Station Road and the High Street and only a small number of properties but the residential dwellings on the High Street were central to the evolution of the village and close to services, facilities, surgeries and the school which grew around them. To exclude the High Street and land to the rear including Land South West of Willets Way is illogical and unjustified.

Figure 6 indicates where the logical and justified settlement boundary should be to the south of Loxwood (represented by the red line). The inclusion of this area is both a sustainable allocation of 10 new homes at Land South West of Willets Way, but also a more accurate reflection of the actual settlement boundary of the village, through the inclusion of the historic 'High Street'.

In order for the Draft Local Plan to be 'justified' and 'effective' in delivering housing through small scale sites, the Local Plan needs to specify the settlement boundaries and allocate sites, and not delegate to Neighbourhood Plans.

**Change suggested by respondent:**

The local plan should both allocate non-strategic sites and define settlement boundaries around the District if it is to meet its role and purpose under the NPPF.

The settlement boundary fails to include the Land South West of Willets Way which was found in the Housing Economic Land Availability Assessment (HELAA) to be suitable, available and achievable for up to 10 units (HLX0006).

**Legally compliant:** No**Sound:** No**Comply with duty:** No

**Attachments:** 7093 - PL-15A - Location Plan.pdf - <https://chichester.oc2.uk/a/srz>  
Written representation letter - <https://chichester.oc2.uk/a/s3q>

**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Artemis Land and Agriculture Limited [7943]**Agent:** Mr Jack Allenby [7942]

**Summary:**

Policy is unsound due to:

- i) There being evidence (set out in the Council's own evidence base and within this representation) demonstrating that additional housing could be delivered in the North of the Plan Area to meet future needs, particularly in the parish of Plaistow and Ifold at Crouchlands Farm.
- ii) Not being justified or effective, but overly reliant on the delivery of additional homes in the North of the Plan Area on sites allocated in neighbourhood plans for the respective parishes when there is no evidence to demonstrate that any sites are likely to be allocated, nor even that neighbourhood plans will be prepared by each of the parishes in the plan period.

**Full text:****A. SUMMARY AND CONCLUSION**

1. The Council's emerging Local Plan is unsound as:

- proposed Policy S1, Spatial Development Strategy (Appendix LPD1, page 38-39), focuses most future growth in the south of Chichester district in an area that is highly constrained in planning terms, with only a moderate amount of growth proposed in the North of the Plan Area which is objectively and comparatively less-constrained;
- proposed Policy H1, Meeting Housing Needs (Appendix LPD1, page 100), sets out a total housing supply of 10,359 homes for the plan period of 1 April 2021 to 31 March 2039, equivalent to 575 homes per year (an already capped figure due to highway constraints in the south). This is a shortfall of 1,134 homes for the plan period, or 63 homes per year, against the Council's minimum local housing need as calculated by the Government's standard housing method and set out in the Council's Housing and Economic Development Needs Assessment (Appendix LPD2, page 42);
- the Council proposes a similar spatial strategy and shortfall in supply of housing against its full housing need to that for the previous (adopted) Local Plan (Appendix LPD3, pages 40 – 41, and 49). This has resulted in the Council being unable to demonstrate a five year housing land supply and manage proposals for speculative development, reflected in some 87% of new housing coming from windfall sites (Appendix LPD4, page 12), so is proven to be unsound;
- despite the historic and proposed shortfall in its housing supply, the Council presents insufficient evidence to demonstrate that the impacts of meeting more of the local housing need would significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework (2021), taken as a whole;
- the Council's Sustainability Appraisal (Appendix LPD5, page 26) assesses growth scenarios in the North of the Plan Area. A growth scenario including Crouchlands Farm for 1,114 homes (or 62 per year) is found to be most sustainable (Appendix LPD5, page 34) but is discounted without clear and robust reasoning, and a blended growth scenario for 720 homes (or 40 per year) is proposed in the Local Plan (Appendix LPD5, page 40). It is wholly unclear how the Council has arrived at its decision;
- the Water Neutrality Mitigation Strategy (Appendix LPD6, page VI) and Emerging policy NE17 (Appendix LPD1, page 89) allows for 1,796 homes in the North of the Plan Area, of which scenarios 1a and 2a, including Crouchlands Farm, are less than. Water Neutrality is therefore not a constraint when considering a higher level of development in the North of the Plan Area; and
- Crouchlands Farm was also assessed in the Council's Housing and Economic Land Availability Assessment (Appendix LPD7, page 134) as being suitable, achievable and available for rural enterprise-led development / residential mix of up to 600 homes (HELAA ID HPI009).

2. The emerging Local Plan, therefore, is unsound due to it not being positively prepared by the Council in proposing a shortfall of housing supply against its minimum local housing need, where there are no exceptional circumstances to justify this, as well as there being evidence to support additional sites for housing, including at Crouchlands Farm. There is no coherent basis for the Council not taking forward Crouchlands Farm to increase future housing supply given the shortfall.

3. As a result, the Council should be asked to allocate more sites to help bridge the gap in the extent of its housing shortfall and Crouchlands Farm should be considered the obvious first choice given the deliverability of Rickman's Green Village, as demonstrated by the Council's evidence base (Appendix LPD5, page 34, and Appendix LPD7, page 134).

4. In addition, a wealth of technical work has been undertaken to prepare and submit three planning applications for Rickman's Green Village (Chichester District Council reference 22/01735/FULEIA, 22/03114/FULEIA, and 22/03131/OUTEIA) that are currently awaiting determination. These applications further demonstrate the suitability of Crouchlands Farm as a highly sustainable site, capable of delivering up to 600 homes alongside a primary school (or other suitable community facility), village hub with farm shop, cookery school, glamping and retail and commercial units, and open space provision, such that it should be allocated in the emerging Local Plan.

5. Artemis, or a representative thereof, therefore wishes to participate in the future hearing sessions for the emerging Local Plan. It is considered that as Crouchlands Farm is the only specific alternative considered in the Sustainability Appraisal, it merits its own hearing session.

**B. EMERGING LOCAL PLAN ANALYSIS****Introduction**

6. This representation has been prepared by DLBP Ltd, on behalf of Artemis Land and Agriculture Limited ("Artemis"), to object to the soundness of the Chichester Local

Plan 2021-2039: Proposed Submission ("the emerging Local Plan") prepared by Chichester District Council ("the Council") for public consultation between 3 February to 17 March 2023 under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

7. Artemis is the owner and operator of Crouchlands Farm, Rickman's Lane, Plaistow, Billingshurst, West Sussex RH14 0LE, a 197 hectare livestock farm in the north of Chichester district partly proposed as the site of a new settlement, known as Rickman's Green Village.

8. The representation is based on the adopted National Planning Policy Framework (2021). There is a draft version currently being consulted on, but even if approved as drafted, it will not apply to a Local Plan that has reached Regulation 19 at this point. Therefore, the draft policies are not referred to.

9. In the interests of conciseness, the appendices list is not exhaustive. For example, only a selection of the planning applications documents, or executive summaries of these, have been included. The planning applications are available on Chichester District Council's website (planning refs 22/01735/FULEIA, PS/22/03114/FULEIA and 22/03131/OUTEIA), or a full suite of documents can be provided upon request.

**Spatial Strategy**

10. Proposed Policy S1, Spatial Development Strategy (Appendix LPD1, page 38 – 39), is unsound.

11. Proposed Policy S1 builds on the spatial strategy of the previous (adopted) Local Plan (Appendix LPD3, page 40 – 41) by focusing growth in the

south of the District on sites in and around Chichester city, and the east-west corridor. The south of the district, however, is known to be highly constrained in planning-terms. Key constraints identified by the Council are the (lack of) capacity of the A27, flood risk, and the need to protect environmental designations, landscape quality, the historic environment and settlement character (Appendix LPD1, paragraph 3.5).

12. Due to the constraints in the south, in particular capacity issues of the A27, the Council proposes a moderate level of growth in the North of the Plan Area.

13. Previous advice from the Planning Inspectorate (Appendix LPD8, page 4) concluded that the Council should reassess its adopted spatial strategy and distribution of development in other parts of the District to establish whether the housing need could be met in another way. The emerging Local Plan, however, does not reassess the distribution of development sufficiently.

14. Proposed Policy S1 is unsound as the Council's evidence base demonstrates that additional housing could be delivered in the comparatively less-constrained North of the Plan Area, including at Crouchlands Farm, so the proposed policy is not positively prepared, and nor is it appropriately justified. This is expanded upon further below.

#### North of the Plan Area

15. Proposed Policies A15, Loxwood (Appendix LPD1, page 260) and H3, Non-Strategic Parish Housing Requirements 2021 – 2039 (Appendix LPD1, page 103) are also unsound.

16. The emerging Local Plan proposes one allocation for housing in the North of the Plan Area, Policy A15, Loxwood, for a minimum of 220 homes to come forward over the plan period, all through the neighbourhood plan process.

17. Proposed Policy H3 sets out non-strategic targets for 25 new homes to be delivered over the plan period in Plaistow and Ifold Parish, 50 in Kirdford Parish, and 75 in Wisborough Green, all through neighbourhood plans (of which Plaistow and Ifold does not even have a draft Neighbourhood Plan) or subsequent development plans (which have not even begun preparation yet).

18. It is clear, when looking at the District's population data alone that the North of the Plan area should, proportionately, take on more housing. This is because:

- the population for the entire District (excluding the South Downs National Park area) is 89,982, which comprises 8,396 in the North of the Plan Area and 81,586 in the remaining south of the District;
- the emerging Local Plan proposes 10,359 homes over the Plan period, comprising 370 in the North of the Plan Area and 9,989 in the remaining south of the District;
- if the proposed housing was to be distributed evenly across the District, one home should be allocated per 11.5 people. An even distribution would therefore result in 966 homes in the North of the Plan Area;
- however, the Local Plan only proposes 370 homes in the North of the Plan Area. This is a shortfall of 596 homes against what should be provided (966 homes) if it were to be evenly distributed, which equates to a 161% shortfall.

19. Proposed Policies S1, H3 and A15 should be found unsound due to there being evidence (set out in the Council's own evidence base and within this representation) demonstrating that additional housing could be delivered in the North of the Plan Area to meet future needs, particularly in the parish of Plaistow and Ifold at Crouchlands Farm.

20. Furthermore, proposed Policies S1, H3 and A15 are unsound as they are not justified or effective, but are overly reliant on the delivery of additional homes in the North of the Plan Area on sites allocated in neighbourhood plans for the respective parishes when there is no evidence to demonstrate that any sites are likely to be allocated, nor even that neighbourhood plans will be prepared by each of the parishes in the plan period. For example, proposed Policy H3 seeks to deliver 25 new homes in Plaistow and Ifold parish, however work to prepare its neighbourhood plan has ceased indefinitely.

#### Sustainability Appraisal

21. The Council's Sustainability Appraisal (Appendix LPD5, page 34) considered the following six growth scenarios to determine the number of homes to be delivered across the four parishes (Kirdford, Loxwood, Plaistow and Ifold, Wisborough Green) in the North of the Plan Area:

- i) 1, lower growth of only the four parishes providing 514 homes (29 homes per year);
- ii) 1a, lower growth of the four parishes plus Crouchlands Farm, providing 1,114 homes (62 homes per year);
- iii) 2, higher growth of only the four parishes, providing 1,139 homes (63 homes per year);
- iv) 2a, higher growth of the four parishes plus Crouchlands Farm, providing 1,514 homes (84 homes per year);
- v) 3, highest growth of only the four parishes, providing 1,964 homes (109 homes per year); and
- vi) 3a, highest growth of the four parishes plus Crouchlands Farm, providing 2,564 homes (143 homes per year).

22. The Council's Sustainability Appraisal concluded that the Council is supportive of a blend of Scenarios 1 and 2 (Appendix LPD5, page 40).

23. To reflect this, proposed Policy H3 Non-Strategic Parish Housing Requirements 2021 – 2039 (Appendix LPD1, page 103) therefore seeks:

- i) lower growth at Kirdford (50 homes) and Plaistow and Ifold (25 homes) on unallocated sites; and
- ii) higher growth at Loxwood and Wisborough Green through a combination of one allocated site for 220 homes (proposed Policy A15) and other unallocated sites (75 homes).

24. However, Figure 1 of the Council's Sustainability Appraisal (Appendix LPD5, page 34), above, very clearly shows that scenario 1a (lower growth of only the four parishes plus Crouchlands Farm) scores the best overall i.e., is the most sustainable option. This is due to scenario 1a scoring highest in regard to the site's accessibility, communities and health, lack of heritage constraints relative to the other scenarios, as well as lack of landscape constraints relative to the other scenarios.

25. With regards to the analysis of the remaining criteria:

- Air Quality and Environmental Quality; Biodiversity; Land, Soils and Resources – whilst we appreciate the information may not be available for the 'other areas' accounted for in each growth scenario, the scoring does not reflect the information within the three planning applications at Crouchlands Farm (e.g. Ecological Impact Assessments (Appendices RGV17 and RGV18), Air Quality Assessments (Appendix RGV8 – RGV10), Environmental Impact Assessments (Appendices RGV21 and RGV22), Agricultural Land Classification Assessment (Appendix RGV7), Land Quality Assessments (Appendices RGV26 and RGV27, etc));
- Housing – the scoring for this category is inconsistent with the other criterion, as it does not exclude option 3a from the ranking. For example, Scenario 1a should therefore score 4, rather than 5, if based purely on the quantity of homes. But page 4 of the Sustainability Appraisal (Appendix LPD5) confirms that the objective is to (our emphasis): "deliver suitable, well designed, energy efficient and affordable housing to meet local needs, in safe and accessible neighbourhoods with mixed and balanced communities". In the absence of supporting evidence on the qualitative elements of this

objective, other than at Crouchlands Farm, the method of scoring this criteria is unsound as it does not meet the full objective. When considering the high-quality design of homes at Crouchlands, it is clear that scenarios 1a and 2a should in fact score higher; and

- Economy, employment – the Sustainability Assessment fails to acknowledge the economic benefits proposed at Crouchlands Farm, which will have a significant economic benefit for Chichester District Council and the wider area. This is demonstrated in the Economic Impact Assessment submitted with planning application (Appendix RGV19). A second Economic and Social Value Impact Assessment as also been submitted which considers the scenarios of the whole of the proposal (Appendix RGV20), but we wholly appreciate that the Council did not have access to this at the time of preparing the Sustainability Appraisal.

26. There is a clear disconnect between the scoring of the scenarios, how each scenario and Crouchlands Farm has been assessed by the plan-maker, and how the conclusion to proceed with a blend of scenarios 1 and 2 has been made. Page 34 of the Sustainability Appraisal (Appendix LPD5) clearly states that it “is undertaken without any assumptions regarding the degree of importance, or ‘weight’, that should be assigned to each of the topics in the ‘planning balance’. It is only the Council, as the decision-making authority, that is in a position to arrive at an overall conclusion on the best performing growth scenario on balance”. One must therefore assume that the Council has assigned more importance and weight to certain criteria of the scoring. But there is a clear lack of explanation of this weighting exercise, so the results of the testing is not justified.

27. The Council’s reasoning for supporting a blend of scenarios 1 and 2 at section 7.3 of the Sustainability Appraisal (Appendix LPD5, page 40) is therefore wholly unclear, not justified, and is unsound.

28. In summary, the Council’s position is that:

- the government’s standard housing methodology determines an objectively assessed need of 638 dwellings per annum, or 11,484 over the plan period (which is a capped figure at 40% above the ‘baseline’ need figure);
- the figure is then capped further to the plan area as a whole to 575 dwellings per annum, because:
- capacity constraints associated with the A27 in the south of the plan area results in a resolution that there is capacity for no more than 535 homes per year in the south (i.e. a further capping of its proposed supply);
- this means that 103 homes per year need to be made up in the North of the Plan Area, or 1,854 homes over the plan period;
- a growth scenario (1a) including Crouchlands Farm for 1,114 homes (or 62 per year) is found to be most the sustainable option in the Sustainability Appraisal when considering the score of figure 1 above (Appendix LPD6, page 34) but is discounted without clear and robust reasoning;
- the Council thus proposes only 40 homes per year in the North of the Plan Area due to ‘wide ranging planning reasons’.

29. This is wholly unsubstantiated as it means that there is a shortfall of 63 homes per year, or 1,134 homes over the plan period. Also:

- the Sustainability Appraisal (Appendix LPD5, page 16) sets out that water neutrality has implications for the growth quantum in the North of the Plan Area, so this area cannot accommodate the full 63 homes per year (which is already a capped figure);
- but the Water Neutrality Mitigation Strategy (Appendix LPD6, page 15, table 3.1), and the Sustainability Appraisal (Appendix LPD5, page 16), both confirm that the North of the Plan Area can accommodate 1,796 homes (circa 100 homes per year);
- and even if a suitably precautionary approach is taken (considering fewer homes, by 5% or 10%), 5% fewer homes would equate to 1,706 homes, and 10% fewer homes would equate to 1,616 homes;
- therefore, even with the highest buffer (10%) applied, 1,616 homes could be accommodated in the North of the Plan Area over the plan period (circa 90 homes per year). This means that almost the entirety of the actual shortfall (1,854 homes) could be reached in the North of the Plan Area.

30. We accept that the 1,854 homes required to be made up in the North of the Plan Area cannot be accommodated, due to water neutrality constraints and so scenarios 3 and 3a are discounted.

31. However, scenarios 1 (514 total homes), 1a (1,114 total homes), 2 (1,139 total homes), and 2a (1,514 total homes) would all be below the most precautionary approach taken to water neutrality constraint. Taking the highest growth scenario 2a (with Crouchlands Farm), there would still be headroom of 102 homes in terms of the Water Neutrality Mitigation Strategy.

32. Therefore, water neutrality cannot be the determining constraint for discounting scenarios 1a or 2a from the Sustainability Appraisal (Appendix LPD5).

33. Therefore, there is very limited explanation about what the “wide ranging planning reasons” are, and how the resulting shortfall has been reduced from 103 homes per year to 40 homes per year in the North of the Plan Area. Three examples are referenced (with our comments in bold):

- the rurality of the area – whilst we appreciate and wholly recognise this is a designated Rural Area under Section 157 of the Housing Act 1985, so are many of the sites in the south of the plan area that already have, and are planned to, accommodate significant growth. But other than this, a large part of the North of the Plan Area, including Crouchlands Farm, is unconstrained – it is not in the Green Belt, an Area of Outstanding Natural Beauty, a Special Area of Conservation, a Site of Special Scientific Interest, or other constraints. This is accepted by the Council at page 34 of the Sustainability Appraisal (Appendix LPD5);
- the entire area falls within a constrained water resource zone – this is not a constraint. The Council’s own proposed Policy NE17 contradicts this reasoning, as clearly sets out how developers can provide evidence that new development will be water neutral. In addition, Natural England’s Mitigation Strategy (Appendix LPD6, page V - XI) identifies the area as having capacity for 1,784 homes, and growth scenarios 1, 1a, 2 and 2a would all allow for headroom when considered against this (see paragraphs 28 – 32 above); and
- transport-related barriers to growth, whereby Waverley Borough and Horsham District have raised concern – as set out in Section C below, the planning applications at Crouchlands Farm contain a wealth of transport assessments and evidence that there are suitable, reasonable, and proportionate ways of mitigating this. Horsham District and Waverley Borough Councils and have not raised objection to the planning applications, either on transport or any other grounds (Appendices RGV40 and RGV41, respectively). Paragraph 5.2.33 of the Sustainability Appraisal (Appendix LPD5) accepts that the strategic growth options, i.e. Crouchlands Farm, have merit in transport terms.

34. Further details of the Council’s assessment of Crouchlands Farm in the Sustainability Appraisal (Appendix LPD5) are set out in Section C of this representation, alongside our response to each of the points raised by the Council.

40 homes per year

35. A meeting was held between the Council and an Advisory Inspector in October 2022 (Appendix LPD9). This precedes the publication of the Sustainability Appraisal (Appendix LPD5), the growth scenario testing, and the Water Neutrality Mitigation Strategy (Appendix LPD6), which have since concluded that development of up to 1,796 homes can be sustainably achieved in the North of the Plan Area over the plan period. The Sustainability Appraisal (Appendix LPD5) excluded scenario 3a on the basis of this being exceeded (page 26).

36. Nevertheless, paragraph 5 of the Advisory Inspector’s notes (Appendix LPD9) states “[...] the Council consider[s] a housing requirement below the need derived from the standard method (some 535 dwellings per annum (dpa) in the southern plan area and the potential for a further 40 dpa in the northern plan area compared to 638 dpa)”. And paragraph 9 lists a number of potentially constraining factors (e.g. limited public transport, limited facilities, water neutrality etc), which the Advisory Inspector states (our emphasis): “appear to support the Council’s position that a maximum of 600-700 homes could be delivered over the Plan period (or around 40 dpa).”

37. However, it is unclear what evidence informed the figure of 40 homes per year in the Advisory Inspector’s note, particularly as:

• none of the scenarios in the Sustainability Appraisal specifically tested a 40 homes per year scenario; and • the Water Neutrality Mitigation Strategy, restricting development in the North of the Plan Area to 1,796 homes was not published until December 2022.

38. It is also unclear how the proposed figure of 40 homes per year is reached as a blend of scenarios 1 and 2. For example, when calculating the completions (54), commitments (198), windfall (62) figures at table 5.5, plus the 220 homes at Loxwood, 25 homes at Plaistow and Ifold, 50 homes at Kirdford, and 75 homes at Wisborough Green, the total amounts to 684 homes over the plan period, or 38 homes per year.

39. Despite this, the Emerging Local Plan (Appendix LPD1, pages 99 and 100) sets out a figure of 40 homes per year over the plan period (679 homes in total), accounting for completions, commitments as of December 2022, windfall, allocation at Loxwood, and non-strategic allocations at Kirdford, Plaistow and Ifold, and Wisborough Green. This is contrary to the results of the Sustainability Appraisal.

40. In a previous meeting with the Advisory Inspector regarding water neutrality (September 2022, Appendix LPD10), the Inspector confirms that, prior to submission of a plan (our emphasis added):  
“the Inspectorate can only provide advice based on national planning policy and guidance, along with our own personal experience. While it is possible to explore issues in advisory meetings it is not possible to say definitively that the approaches taken will lead to a sound plan. That’s because ultimately each plan will be considered by an Inspector who has been appointed to carry out an independent examination. In doing so they will consider all the evidence to justify the plan, the representations and what was discussed at the hearing sessions.”

41. It is therefore not sufficient reasoning for the Council to submit the Emerging Local Plan, using a blend of scenarios 1 and 2 that happen to match a 40 homes per year figure in the North of the Plan Area, on the basis of the Advisory Inspector’s commentary in October 2022 (Appendix LPD9), which preceded the issuing of the Water Neutrality Mitigation Study (Appendix LPD6) and the Sustainability Appraisal (Appendix LPD5). One can assume there has been no examination of evidence by the Advisory Inspector, just commentary based on the Council’s own - unsound - narrative.

42. For the above reasons, the Council has therefore not positively prepared or justified the reasons for limiting growth in the North of the Plan Area to 40 homes per year.

#### Development Plan Infrastructure Panel

43. The Sustainability Appraisal (and commentary at the Special Cabinet and Full Council meetings held on 23 and 24 January 2023) makes references to conversations held and decisions made by the Development Plan Infrastructure Panel. A Freedom of Information request was submitted to request the minutes of these meetings, and the response was that the meetings are confidential and so the minutes would need to be heavily redacted.

44. The transparency of this is in question. While the meetings may not be ‘public’ in the sense that the public can attend and watch, the meetings relate to a document that is in the public domain and subject to public consultation, and so there should be transparency into how the decisions and conclusions have been made and justified.

45. In light of the above, proposed Policies S1, H1, and H3 are unsound for not being positively prepared or justified, directing insufficient growth in the North of the Plan Area where there is evidence to support the allocation of additional housing in a more-sustainable way, by including Crouchlands Farm.

#### Housing Need

##### Shortfall of supply

46. Proposed Policy H1, Meeting Housing Needs (Appendix LPD1, page 100), is unsound.

47. Paragraph 61 of the National Planning Policy Framework (2021) sets out that “to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach”.

48. The Council’s Housing and Economic Development Needs Assessment (Appendix LPD2, page 42) identifies a housing need of 763 homes per year based on the Government’s standard method. That figure comprises 125 homes per year for the part of the district in the South Downs National Park and 638 homes per year for the remainder of the district (the plan area). This equates to a total requirement for 11,484 new homes for the plan period of 1 April 2021 to 31 March 2039.

49. Proposed Policy H1, however, sets out the total housing supply of 10,359 homes for the plan period, which equates to 575 homes per year. This is a shortfall in supply of 1,134 homes, or 63 homes per year, against the minimum local housing need as calculated by the Government’s standard method.

50. The Council attempts to justify the proposed shortfall in housing supply due to key constraints in the south (the A27, flood risk, environmental designations) and the north of the district. In the north, the Council identifies key constraints to be the protection of environmental designations, landscape quality, historic environment and settlement character, and water neutrality (Appendix LPD1, paragraph 3.5).

51. We note that this was echoed by the Planning Inspectorate in a Local Plan Advisory Meeting, held on 5 October 2022, who found that:  
“The northern area is not constrained by the capacity of the A27 but has its own issues. As a predominantly rural area with limited facilities and public transport, it is not an obvious location for significant development. There are also landscape and historic environment constraints. It is also affected by water neutrality requirements and the potential for capacity issues on the wider highway network. These factors appear to support the Council’s position that a maximum of 600-700 homes could be delivered over the Plan period (or around 40 dpa)”. (Appendix LPD9, paragraph 9).

52. However, that advice was issued prior to the Council’s Sustainability Appraisal (Appendix LPD5) and Water Neutrality Mitigation Strategy (Appendix LPD6) being published, which have since concluded that development of up to 1,796 homes in the North of the Plan Area over the plan period can be sustainably achieved.

53. The Council makes no justification that not meeting its housing need in full would significantly and demonstrably outweigh the benefits of meeting the majority of the shortfall of need in the North of the Plan Area, when assessed against the policies in the National Planning Policy Framework (2021) taken as a whole. The Council entirely overlooks the fact that its objectively assessed housing requirement is not being met. The only reason the Council makes for not meeting its housing need in the North of the Plan Area is set out in a Cabinet Report, dated 23 January 2023, which states:  
In the north of the Plan area, previously, given it is less sustainable compared to Chichester and the east-west corridor, the Local Plan has only provided for only limited growth, focused on enabling these communities to continue to sustain local facilities and contribute towards meeting locally generated housing needs, and support for the rural economy, in line with the settlement hierarchy. However, due to the constraint of the A27 in the south of the plan area (see housing section at para 5.34 onwards below), it is considered that this Plan should provide for a moderate level of growth in the north to help to make up the overall shortfall of dwellings, in order to demonstrate that ‘no stone has been left unturned’ in identifying housing supply.

High levels of growth were considered at Loxwood, Kirdford, Wisborough Green and Plaistow and Ifold, but ruled out due to the need to conserve the rural character of the area and its high quality landscape and to minimise the impact on the historic environment. The spatial strategy therefore includes growth at Kirdford (50 dwellings), Wisborough Green (75 dwellings) and Plaistow and Ifold (25 dwellings). Loxwood is the least constrained



settlement in the north of the plan area, and benefits from the most services and facilities, including healthcare. Therefore, a moderate amount of growth is appropriate for Loxwood of 220 dwellings, to come forward through the neighbourhood planning process.

The SA of the northern options considered 3 scenarios (plus each scenario with the addition of a potential new settlement at Crouchlands), for low, higher and highest growth. The highest growth scenarios perform poorly and therefore the Local Plan reflects a combination of the low and higher growth scenarios tested, which takes into account the constraints of each settlement and the need to avoid cross boundary traffic and education impacts. A new settlement at Crouchlands has been ruled out as it is not of a sufficient size to be a sustainable new settlement in a rural location and because of the negative impact on the landscape and intrinsic rural character of the area and poor sustainable transport links. (Appendix LPD11, paragraphs 5.19 – 5.21).

54. The Council fails to make a case that the impacts of meeting this need would outweigh the harm caused by not meeting the full housing need, or indeed that impacts of even getting closer to meeting this need would demonstrably outweigh the harm of not meeting housing need.

55. On the contrary, there is evidence to demonstrate that housing supply could be higher by at least 600 homes through the allocation of Crouchlands Farm as a site considered to be suitable, achievable and available by the Council's Housing and Economic Land Availability Assessment (Appendix LPD7, page 134). The allocation of Crouchlands Farm would be acceptable in water neutrality terms, with both Scenarios 1a and 2a of the Sustainability Appraisal (Appendix LPD5, page 34) delivering new homes below the maximum figure set out in the Water Neutrality Mitigation Report (Appendix LPD6, page VI). Furthermore, there are no heritage and landscape constraints associated with Crouchlands Farm.

56. In addition, the information supporting the applications for Rickman's Green Village further demonstrate Crouchlands Farm as a highly sustainable site, capable of delivering up to 600 homes alongside a village hub with farm shop, retail and commercial units, office and flexible working space, and open space provision (as well as provision for a primary school or other suitable community facility).

57. Proposed Policy H1 is therefore unsound on the basis that it is not positively prepared or justifiable when accounting for all reasonable alternatives. Historic under-delivery

58. The previous (adopted) Local Plan (Appendix LPD3, page 49) did not provide a sufficient supply of housing to meet the Council's full housing need at the time of adoption, which is the same approach proposed by the Council for Policy H1.

59. Many of the sites allocated for housing in the previous (adopted) Local Plan on sites in the south of the District have not been delivered, as demonstrated by Appendix 2, Table E of the Council's Five Year Housing Land Supply Position Statement (Appendix LPD12). This confirms that four sites allocated by the Council previously, with a combined projected supply of 2,210 homes, have not been started, and do not even benefit from planning permission. We understand that none of those sites has come forward due to impediments resulting from site ownership, which raises questions around the approach taken by the Council in allocating sites for housing in the south in the past, which Policy S1 proposes to use again.

60. The Council's failing to meet its housing supply historically has also resulted in it now being unable to demonstrate a five year housing land supply and so unable to effectively manage proposals for speculative housing developments. This is reflected in a significant proportion – some 87% – of new housing coming from windfall sites (Appendix LPD4, page 12).

61. In addition, the Council introduced a new Interim Position Statement for Housing (Appendix LPD13) which set out a spatial strategy to allow new development adjacent to settlement boundaries as a way of significantly boosting housing supply (Criterion 1). The Council has not carried this strategy forward into the emerging Local Plan. This is despite the Planning Inspectorate recommending this in a recent appeal decision (Appendix LPD14), stating that the application of Criteria 1 suggested "the Council's [adopted] spatial strategy may be out of date, as a more permissive approach appears necessary to maintain a five-year housing land supply." (paragraph 25).

62. Proposed Policies S1 and H1 are therefore unsound as they follow the same approach of the previous (adopted) Local Plan, which has proven to be ineffective and unsustainable, contrary to national policy, and the recommendations of the Planning Inspectorate.

#### Longer Term Growth Requirements

63. The emerging Local Plan as originally published (Appendix LPD15), prior to the meetings of the Council's Cabinet and Full Council on 23 and 24 January 2023, respectively, set out "some reservations about whether it will be appropriate in the longer term to continue to rely on existing sources of supply (e.g., urban extensions and urban intensification) indefinitely given the potential for ongoing increased levels of housing needs" (paragraph 5.11).

64. In doing so, it identified that a new settlement of 2,000 – 3,000 dwellings to accommodate potential longer-term growth needs beyond the Plan period (i.e. 2039 onwards) will need to be explored.

65. At the meeting of the Council's Cabinet, a proposed amendment was agreed to remove the above wording and instead insert: "Beyond the Plan period additional planned provision for housing will be required. During the course of preparing this Plan, it has become apparent that it may not be appropriate in the longer term to continue to rely completely on sources of supply such as urban extensions and urban intensification" [...]

"In order to be in a position to update this Local Plan within the next five years the Council will need to consider future population and household growth. At the same time, the requirement for sufficient homes to house a local workforce without relying on excessive in-commuting to the District's workplaces will need to be considered. The continual evolution of National Planning Policy also presents challenges as in what national, regional, sub-regional and plan area strategic planning context any future reviews of this plan may be undertaken." (Appendix LPD1, paragraphs 5.11 – 5.12).

66. Reference is then made to the need to work "bilaterally with neighbouring authorities in seeking to find cross boundary strategic solutions to future growth requirements" (Appendix LPD1, paragraph 5.13).

67. The emerging Local Plan (Appendix LPD1, paragraph 5.14) continues to recognise a need to facilitate the identification of possible new development sites specifically within the Chichester plan area, however solutions to meet that need are not explored fully.

68. The Council states that it would consider sites that (with our commentary in bold):

- i) are of a sufficient scale to support potential long-term development needs arising and support the provision of key infrastructure and community facilities – Rickman's Green Village is of a scale similar to surrounding villages, and will provide all necessary key infrastructure as well as community facilities such as a potential primary school (or other suitable community facility), sports pitches, and shops;
- ii) are comprehensively planned in consultation with existing communities and key stakeholders – significant public engagement has been undertaken, including two in-person public consultation events, and pre-application discussions with West Sussex County Council (on transport, and education) and Chichester District Council;
- iii) provide for a sustainable, inclusive and cohesive community promoting self-sufficiency and with high levels of sustainable transport connectivity – a new bus service connecting Rickman's Green Village to Billingshurst is proposed, and onsite infrastructure is provided to promote self-sufficiency;
- iv) include on-site measures to avoid and mitigate any significant adverse impacts on nearby protected habitats – extensive ecology surveys and assessments have been undertaken to ensure habitats are protected. For example, 10 – 30 m buffers have been incorporated around Ancient Woodland;

v) provide a mix of uses to meet longer term development needs and contribute towards its distinctive identity – the village hub will provide office spaces, shops, a café, leisure facilities and a potential school or other suitable community facility to meet long term needs of future residents; and vi) are of a layout and form that avoids coalescence with existing settlements and does not undermine their separate identity; respects the landscape character and conserves and where possible enhances the character, significance and setting of heritage assets – Rickman's Green Village has been designed to be a new rural village that does not rely on or coalesce with other surrounding villages. The design has been landscape-led and reflects the character of nearby villages, with contemporary features. There are a number of mitigation measures in place to ensure the setting of heritage assets are protected.

69. Proposed Policies S1 and H1 are therefore unsound. The Council acknowledges that there are ways of meeting future housing need, which could include an allocation of Crouchlands Farm, but avoids deploying these now, which is not justified.

#### Water neutrality

70. Proposed Policies S1, Spatial Development Strategy (Appendix LPD1, page 40 – 41), H1, Meeting Housing Needs (Appendix LPD1, page 100), and H3, Non-Strategic Parish Housing Requirements 2021 – 2039 (Appendix LPD1, page 103) are unsound, and contradictory to proposed Policy NE17, Water Neutrality (Appendix LPD1, page 89)

71. The Council's Sustainability Appraisal (Appendix LPD5), in assessing the proposed growth scenarios for the North of the Plan Area, states that water neutrality remains a "key constraint to higher growth" (page 40), despite a Mitigation Strategy (Appendix LPD6) having been agreed.

72. That Mitigation Strategy (Appendix LPD6) assumes 1,796 homes being delivered in the North of the Plan Area which the Council's Sustainability Appraisal (Appendix LPD5, page 16) states:

"immediately serves to indicate that there is no potential to deliver the high growth target figure of 1,854 homes as the (minimum) level of growth that would be necessary in the northeast plan area, were the local plan housing requirement to be set at LHN [local housing need]."

73. Based on the above, the Council should have discounted the highest growth scenarios for the North of the Plan Area in the Sustainability Appraisal Scenarios 3 and 3a, which propose 1,964 and 2,564 homes, respectively for delivering more than 1,796 homes (Appendix LPD5, page 26). Page 26 of the Council's Sustainability Appraisal (Appendix LPD5) states, however, "On balance, just Scenario 3a [highest growth of the four parishes plus Crouchlands Farm, providing 2,564 homes] is ruled out as unreasonable, on this basis, leaving five reasonable growth scenarios". The Council provides no further justification for the inclusion of Scenario 3.

74. The Sustainability Appraisal (Appendix LPD5) goes on to state that whilst a Mitigation Strategy has been agreed, it "cannot be implemented until further work has been completed in order to design / set up strategic offsetting schemes. In this light, the proposed strategy of restricting growth somewhat [in the North of the Plan Area] is supported" (page 60).

75. That assessment is at odds, however, with proposed Policy NE17, Water Neutrality (Appendix LPD1, page 89), which states that "Development proposals are not required to utilise the planning authority-led offsetting scheme and may bring forward their own offsetting schemes."

76. The Council, therefore, seeks to use water neutrality to limit future growth in the North of the Plan Area, despite proposed Policy NE17 facilitating appropriate development from coming forward, such as that proposed at Crouchlands Farm. Proposed Policies S1, H1 and H3 are unsound for not being positively prepared or justified.

#### C. CROUCHLANDS FARM

77. Our analysis of the Council's emerging Local Plan shows that it cannot be found sound as the Council proposes a shortfall of supply against its minimum local housing need where there are no exceptional circumstances to justify this, as well as there being evidence to support additional sites for housing.

78. As a result, the Council should be asked to allocate more sites to help bridge the gap in the extent of its housing shortfall and Crouchlands Farm should be considered the obvious first choice given the deliverability of Rickman's Green Village, as demonstrated by the Council's evidence base (Appendix LPD5, page 34, and Appendix LPD7.5, page 134), and the evidence presented below.

For further information, see attached supplementary documents.

#### Change suggested by respondent:

See attached written representation

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** 2023.03.16 final wsx1 Local Plan Representation - <https://chichester.oc2.uk/a/swm>  
 LPD17 Sustainable Settlement Study (March 2023) - <https://chichester.oc2.uk/a/trh>  
 ENG1 Letter Introducing Rickman's Green Village to Senior Leadership Team\_redacted - <https://chichester.oc2.uk/a/t35>  
 ENG2 Rickman's Green Village Public Consultation Letter\_redacted - <https://chichester.oc2.uk/a/t36>  
 ENG10 Letter to Senior Leadership Team Regarding Application Submissions\_redacted - <https://chichester.oc2.uk/a/t37>  
 LPD14 Appeal Decision - <https://chichester.oc2.uk/a/t39>  
 LPD13 Interim Position Statement for Housing - <https://chichester.oc2.uk/a/t3d>  
 ENG3 Rickman's Green Village Proposed Allocation Information Pack - <https://chichester.oc2.uk/a/t3w>  
 ENG4 Rickman's Green Village Proposed Allocation Briefing Note - <https://chichester.oc2.uk/a/t3f>  
 ENG5 Rickman's Green Village Illustrative Masterplan - <https://chichester.oc2.uk/a/t3g>  
 ENG6 Rickman's Green Village Public Consultation Update - <https://chichester.oc2.uk/a/t3h>  
 ENG7 Rickman's Green Village Public Consultation Presentation Boards - <https://chichester.oc2.uk/a/t3x>  
 ENG8 Rickman's Green Village Proposed Landscape Strategy - <https://chichester.oc2.uk/a/t3j>  
 ENG9 Rickman's Green Village Bus Feasibility Note - <https://chichester.oc2.uk/a/t3k>  
 RGV1 Whole Farm Plan Planning Statement - <https://chichester.oc2.uk/a/t3z>  
 RGV2 Rickman's Green Village Planning Statement - <https://chichester.oc2.uk/a/t3m>  
 RGV4 Rickman's Green Village (full) design and access statement - <https://chichester.oc2.uk/a/t3n>  
 RGV5 Rickman's Green Village (outline) Design and Access Statement - <https://chichester.oc2.uk/a/t3y>  
 RGV6 Rickman's Green Village Affordable Housing Statement - <https://chichester.oc2.uk/a/t3p>  
 RGV8 Whole Farm Plan Air Quality Impact Assessment (Summary) - <https://chichester.oc2.uk/a/t3q>  
 RGV9 Rickman's Green Village (full) Air Quality Assessment - <https://chichester.oc2.uk/a/t4r>  
 RGV10 Rickman's Green Village (outline) Air Quality Assessment - <https://chichester.oc2.uk/a/t4s>  
 RGV11 Whole Farm Plan Arboricultural Implications Report - <https://chichester.oc2.uk/a/t4t>  
 RGV16 Rickman's Green Village Deliverability Statement - <https://chichester.oc2.uk/a/t43>  
 RGV17 Whole Farm Plan Ecological Impact Assessment (Report Summary) - <https://chichester.oc2.uk/a/t44>  
 RGV18 Rickman's Green Village Ecological Impact Assessment (Report Summary) - <https://chichester.oc2.uk/a/t45>  
 RGV19 Whole Farm Plan Economic Impact Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t46>  
 RGV21 Whole Farm Plan Environment Impact Assessment - <https://chichester.oc2.uk/a/t47>  
 RGV22 Rickman's Green Village Environmental Statement - <https://chichester.oc2.uk/a/t48>  
 RGV23 Whole Farm Plan Heritage Statement (Summary and Conclusion) - <https://chichester.oc2.uk/a/t49>

RGV31 Whole Farm Plan Operational Statement - <https://chichester.oc2.uk/a/t4v>  
 RGV32.2 Rickman's Green Village (outline) Residential Travel Plan Annex C - <https://chichester.oc2.uk/a/t4b>  
 RGV33 Whole Farm Plan Rural Enterprise Centre Report - <https://chichester.oc2.uk/a/t4c>  
 RGV35 Whole Farm Plan Transport Assessment (Summary and Conclusions) - <https://chichester.oc2.uk/a/t4d>  
 RGV38 Whole Farm Plan Water Neutrality Report - <https://chichester.oc2.uk/a/t4w>  
 RGV39 Rickman's Green Village (full) Water Neutrality Report - <https://chichester.oc2.uk/a/t4f>  
 PLA1 Allocation Location Plan - <https://chichester.oc2.uk/a/t4g>  
 PLA2 Whole Farm Plan Site Location Plan - <https://chichester.oc2.uk/a/t4h>  
 PLA3 Proposed Whole Farm Plan - <https://chichester.oc2.uk/a/t4x>  
 PLA4 Phase 1 Site Location Plan - <https://chichester.oc2.uk/a/t4j>  
 PLA5 Phase 1 Illustrative Masterplan - <https://chichester.oc2.uk/a/t4k>  
 PLA6 Phase 1 Proposed Site Layout - <https://chichester.oc2.uk/a/t4z>  
 PLA7 Phase 2 Site Location Plan - <https://chichester.oc2.uk/a/t4m>  
 PLA8 Rickman's Green Village Illustrative Masterplan (Option A) - <https://chichester.oc2.uk/a/t4n>  
 PLA9 Rickman's Green Village Framework Masterplan (Option A) - <https://chichester.oc2.uk/a/t4y>  
 PLA10 Rickman's Green Village Framework Masterplan (Option B) - <https://chichester.oc2.uk/a/t4p>  
 PLA11 Axonometric View (Option A) - <https://chichester.oc2.uk/a/t4q>  
 LDP15 Cabinet Meeting Agenda Item 4 - <https://chichester.moderngov.co.uk/documents/s24215/Proposed%20Submission%20version%20of%20the%20Chichester%20Local%202039%20-%20Appendix%20A.pdf>  
 RGV7 Rickman's Green Village Agricultural Classification Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t54>  
 RGV12 Rickman's Green Village (full) Arboricultural Implications Report - <https://chichester.oc2.uk/a/t55>  
 RGV13 Rickman's Green Village (outline) Arboricultural Implications Report (summary) - <https://chichester.oc2.uk/a/t56>  
 RGV14 Rickman's Green Village (full) Biodiversity Net Gain Assessment (Report Summary) - <https://chichester.oc2.uk/a/t57>  
 RGV15 Rickman's Green Village (outline) Biodiversity Net Gain Assessment (Report Summary) - <https://chichester.oc2.uk/a/t58>  
 RGV20 Rickman's Green Village Economic Impact and Social Value Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t59>  
 RGV24 Rickman's Green Village (full) Heritage Statement (Summary and Conclusion) - <https://chichester.oc2.uk/a/t5v>  
 RGV25 Rickman's Green Village (outline) Heritage Statement (Summary and Conclusion) - <https://chichester.oc2.uk/a/t5b>  
 RGV26 Rickman's Green Village (full) Land Quality Assessment (Conclusions and Recommendations) - <https://chichester.oc2.uk/a/t5c>  
 RGV27 Rickman's Green Village (outline) Land Quality Assessment (Conclusions and Recommendations) - <https://chichester.oc2.uk/a/t5d>  
 RGV28 Whole Farm Plan Landscape and Visual Impact Assessment (Summary and Mitigation Strategy) - <https://chichester.oc2.uk/a/t5w>  
 RGV29 Rickman's Green Village (full) Landscape and Visual Impact Assessment (conclusion) - <https://chichester.oc2.uk/a/t5f>  
 RGV30 Rickman's Green Village (outline) Landscape and Visual Impact Assessment (Conclusion) - <https://chichester.oc2.uk/a/t5g>  
 RGV32.1 Rickman's Green Village (outline) Residential Travel Plan (Executive Summary) - <https://chichester.oc2.uk/a/t5h>  
 RGV34 Rickman's Green Village (outline) School Travel Plan (Executive Summary) - <https://chichester.oc2.uk/a/t5x>  
 RGV36 Rickman's Green Village (full) Transport Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t5j>  
 RGV37 Rickman's Green Village (outline) Transport Assessment (Summary and Conclusions) - <https://chichester.oc2.uk/a/t5k>  
 RGV40 Horsham District Council Response to Rickman's Green Village Applications - <https://chichester.oc2.uk/a/t5z>  
 RGV41 Waverley Borough Council Response to Rickman's Green Village Applications - <https://chichester.oc2.uk/a/t5m>  
 RGV42 West Sussex County Council Response to Rickman's Green Village Applications - <https://chichester.oc2.uk/a/t5n>  
 LPD15 Cabinet Meeting Agenda Item 4 - <https://chichester.oc2.uk/a/t5y>  
 RGV3 Whole Farm Plan Design and Access Statement - <https://chichester.oc2.uk/a/t5p>

**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Loxwood (Mellow) Ltd [7870]**Agent:** Ms Megan Smith [7858]**Summary:**

It is acknowledged that Loxwood is marked with an ‘\*’ outlining that a strategic location has been identified via a neighbourhood plan within Policy H2. This is discussed in greater detail under Policy H2 representations, however, we consider the approach of housing allocation and defining settlement boundaries via neighbourhood plans and parish allocations to be ‘ineffective’ and ‘unjustified’.

In relation to Loxwood for example, the settlement boundary as defined by the Neighbourhood Plan is not representative of the current village and its settlement, or suitably reflective of the levels of housing growth and allocations required. The current settlement boundary fails to include the Land South West of Willetts Way which was found in the Housing Economic Land Availability Assessment (HELAA) to be suitable, available and achievable for up to 10 units (HLX0006). The site is clearly sustainable, being close to the village centre, and associated services but was excluded for unjustified reasons through the previous Neighbourhood Plan process.

The Draft Local Plan cannot be ‘positively prepared’ when suitable, available and achievable sites are left fragmented and overlooked by Parish Councils creating piecemeal plots outside of the settlement boundary for unjustified reasons, while the Neighbourhood Plan process is subject to lesser scrutiny (having only to meet basic conditions) than local plans.

**Full text:**

It is acknowledged that Loxwood is marked with an ‘\*’ outlining that a strategic location has been identified via a neighbourhood plan within Policy H2. This is discussed in greater detail under Policy H2 representations, however, we consider the approach of housing allocation and defining settlement boundaries via neighbourhood plans and parish allocations to be ‘ineffective’ and ‘unjustified’.

In relation to Loxwood for example, the settlement boundary as defined by the Neighbourhood Plan is not representative of the current village and its settlement, or suitably reflective of the levels of housing growth and allocations required. The current settlement boundary fails to include the Land South West of Willetts Way which was found in the Housing Economic Land Availability Assessment (HELAA) to be suitable, available and achievable for up to 10 units (HLX0006). The site is clearly sustainable, being close to the village centre, and associated services but was excluded for unjustified reasons through the previous Neighbourhood Plan process.

The Draft Local Plan cannot be ‘positively prepared’ when suitable, available and achievable sites are left fragmented and overlooked by Parish Councils creating piecemeal plots outside of the settlement boundary for unjustified reasons, while the Neighbourhood Plan process is subject to lesser scrutiny (having only to meet basic conditions) than local plans.

Whilst it is agreed that Loxwood should be subject to non-strategic housing allocations, we cannot support this Policy H3, based on its reliance on Policy H2 and neighbourhood plan allocations.

In order for the Draft Local Plan to be ‘justified’ and ‘effective’ in delivering housing through small scale sites, the Local Plan should allocate sites at a District Level, and not delegate to Neighbourhood Plans.

**Change suggested by respondent:**

Whilst it is agreed that Loxwood should be subject to non-strategic housing allocations, we cannot support this Policy H3, based on its reliance on Policy H2 and neighbourhood plan allocations.

In order for the Draft Local Plan to be ‘justified’ and ‘effective’ in delivering housing through small scale sites, the Local Plan should allocate sites at a District Level, and not delegate to Neighbourhood Plans.

**Legally compliant:** No**Sound:** No**Comply with duty:** No

**Attachments:** 7093 - PL-15A - Location Plan.pdf - <https://chichester.oc2.uk/a/sss>  
Written representation letter - <https://chichester.oc2.uk/a/s43>

**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Landacre (Chichester) Limited [8110]**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]**Summary:**

The plan relies on the delivery of Neighbourhood Plans and/or Small Sites Allocations DPD.

This is not precise and does not provide any clear timetable for delivery within the Plan period.

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Landacre (Chichester) Limited. The submission covers the general principles of the Local Plan, but has a focus on land at New Bridge Farm, Clay Lane Chichester, which is in our client’s control. The land is shown on the attached context plan (land outlined in purple) included at Appendix 1 and hereon referred to as the site.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client’s land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions, and then highlight how our client’s site could help fulfil the full housing requirement for the District. This could be through an allocation within the Council’s Local Plan, or at least through an allocation of numbers to the Parish, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan ‘sound’?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- ☒ Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- ☒ The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

2.7 It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.8 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the Transport Study (2023) which concludes that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that our client do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.9 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts. The absence of consideration of additional improvements works appears to be a significant oversight in the preparation of the Transport Study and overall plan making.

2.10 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure in Transport Study, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF, do not appear to exist and the Plan could be considered unsound on this point alone.

2.11 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.12 It should also be noted that the draft Plan does not therefore address any requirements in relation to unmet housing need of neighbouring authorities. Nor does it contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015. The subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.13 Given that our client does not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.14 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.15 It should also be noted that the plan does rely on the delivery of Neighbourhood Plan and / or Small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.16 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst my comments are noted above that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.17 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Development in Chichester City

3.1 Our clients land is located within Chichester City on land north of Clay Lane. The draft Local Plan sets out that the city of Chichester is the main settlement with a population of around 29,193(4) and is the principal location for the provision of higher education and shopping facilities. The city is renowned for its cathedral, its historic heritage and university and is the largest centre of employment in the plan area. The Plan goes on to state that most new development will be well located in and around the main settlements of Chichester, together with Tangmere and Southbourne.

3.2 As would be expected, the Local Plan allocates a significant proportion of housing to the city, which includes a site specific allocation of 1,600 homes to the west of Chichester under Policy A6 (part of current Local Plan allocations), 680 homes to the east under Policy A10, 500 homes to Westhampnett and 585 homes at Shopwyke Lakes. A further allocation of housing numbers for 270 homes under Policy A2 are proposed for Chichester City to be delivered as part of a Neighbourhood Plan for the area site allocations DPD.

3.3 The proposed 270 home allocation should comprise a minimum figure, which for the reasons set out above in relation to the A27 would be feasible. It should also set out that the Council should consider a mix of both city centre and edge of city sites to ensure a mix of house types and sizes, with town centre more likely to comprise flats and edge of settlement a mix of 1-4 bedroom homes, which will include family homes.

3.4 Our position on the approach to further allocations and the need for clear timescales to ensure soundness of the Plan is set out at 2.13-2.16 above.

### 4 Suitability of land New Bridge Farm, Clay Lane, Chichester

4.1 The site covers an area of approximately 3.1 hectares and located to the North-East of Fishbourne. The site comprises of an open field, bordered by mature foliage and fencing. The site is reasonably flat. The frontage is on the Southern boundary of the application site, which benefits from access to Clay Lane. It could be suitable for a quantum of development between 50-70 dwellings.

4.2 Access to the site is via an existing agricultural access from Clay Lane, which adjoins the southernmost corner of the site. The potential means of access has been the subject of a formal pre-application enquiry with WSCC as highway authority. This confirmed that a suitable means of access could be achieved for circa 70 dwellings.

4.3 Whilst the access would go through part of the proposed wildlife corridor to the west of the city, the upgrade of the access is not considered to undermine the overall intentions or integrity of the wildlife gap. However, our client would maintain that a wildlife corridor would better serve the area to the west of Fishbourne, rather than to the west of city. This is an uninterrupted route, as opposed to that currently proposed.

4.4 The site is located within flood zone 1, with a small area of surface water flood risk area identified outside of the site, along the Western boundary.

4.5 The site is located to the North-East of the village of Fishbourne, which comprises a settlement of approximately 2,325 people. Whilst the site does not directly adjoin the settlement boundary, the site is abutted by the approved development scheme at White House Farm Development. The site is therefore enclosed by recently approved development to the north and east. Furthermore, to the South, on the other side of Clay Lane an application for 25 dwellings was approved under reference CC/17/03117/FUL and the A27 embankment to the west. Therefore, it is reasonable to say that the site is enclosed by an established principle of development.

4.6 The site also benefits from direct connection to the public footpath network, which runs along the western and northern boundaries. This continues west through White House Farm (1,600 home allocation) and onwards to the city centre.

4.7 The site has the potential to deliver homes in a sustainable location, on a site that would effectively comprise an infill form of development. The site is suitably located to deliver housing without harm to cultural heritage of the city.

#### 5 Conclusion

5.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, we consider that the Plan area is capable of accommodating a greater housing quantum. This will facilitate development and meet the objectives of the Local Plan. The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the SDNP. The Council's position of growth is predicated on the basis of the A27 not having sufficient capacity to accommodate a higher growth of 535 dpa. Its own evidence base (Transport Study 2023) contradicts this position and therefore the Council should at least be meeting their local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.

5.2 At present, the Plan fails to be positively prepared and is inconsistent with the NPPF. On the basis that the Council don't reconsider their position, we wish to be present at the relevant Examination hearings to represent our clients' interests and further discuss the views set out in this submission.

#### Change suggested by respondent:

The Local Plan needs to give a clear timescale for completion of the DPD.

Consideration of proposed site (Land at New Bridge Farm, Clay Lane, Chichester) within the Local Plan or at least through an allocation of numbers to the Parish, who in turn would select sites through a neighbourhood Plan allocation.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/swn>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Domusea [1816]

**Agent:** Smith Simmons Partners (Paul White) [7650]

#### Summary:

Policy H3 identifies non-strategic parish allocations. We have explained above our queries with the 25 dwelling allocation to Plaistow & Ifold, whether it has allowed for the non-implementation of the 10 units in the last 2015 Plan and why it compares so unfavourably with much higher levels of development for the other service villages in the NE part of the district.

We would also query why the options outlined in the PINS advisory visit of 2021 have not been more thoroughly tested for increased housing provision in the north part of the district to increase the supply of housing to meet OAN. There is no updated Settlement Hierarchy background paper, and the revised housing distribution has not been justified anywhere in the evidence base for the Regulation 19 Local Plan.

#### Full text:

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. The Regulation 19 Plan is not legally compliant as it has not been reviewed within 5 years of the last Plan adopted in July 2015. It is also disappointing that the failure of the current Regulation 19 Local Plan to meet objectively assessed need (OAN) of 638 dpa outside the national park has not been properly evidenced in any up to date statement of common ground with neighbouring authorities with regards to the 'duty to cooperate'.

At this stage we believe the Plan as drafted therefore fails the positively prepared, effective, and consistent with national planning policy tests.

## Duty to Cooperate

The 2014-2029 Local Plan adopted in 2015 does not meet the full objectively assessed housing needs for the area. But it did recognise that future proposals to improve the capacity of the A27 and wastewater treatment works could facilitate additional housing growth. For this reason, it committed the Council to a review of the Plan within five years to ensure that housing needs could be met. That undertaking to review within 5 years was not met.

In 2021 the Council invited an advisory visit from PINS to advise on how the present Local Plan should be prepared. The inspector advised that if the Plan was prepared which did not meet the full housing needs of the area, it would have to show that it had followed the duty to co-operate with neighbouring authorities in maximising the effectiveness of plan preparation.

The inspector said the Duty to Cooperate was therefore critical in the preparation of the Local Plan Review. At the time of the meeting, the council said discussions with neighbouring authorities had been carried out on the basis that the Local Plan Review would meet the full objectively assessed housing needs (OAN) for the area. However if this was not the case, the inspector said evidence of constructive, active, and on-going engagement to determine whether or not development needs could be met elsewhere would need to be shown. Importantly, the inspector said, 1) 'a failure to meet the Duty to Cooperate cannot be remedied during the examination process because it applies to the preparation of the Plan, which ends upon submission', and 2) local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before submitting plans for examination.

The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. In the event, the Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted. Appendix 1 of the Statement of Compliance lists those authorities that were consulted during the earlier Regulation 18 Preferred Approach consultation. Appendix 2 lists those authorities where Statements of Common Ground have been agreed with Chichester DC for the Regulation Submission 19 Plan. No statements have produced or agreed. Therefore as it stands the under provision of housing against OAN in the Plan has not been justified. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy in the NPPF paragraph 24-27 which advises on the duty to cooperate approach.

## Local Plan Policies

The remainder of these comments deal with the proposed Settlement Hierarchy - policy S2, policy H1 – Meeting Housing Need, Non-Strategic Housing Sites – Policy H3 and T1 Transport Infrastructure.

### Policy S2 – Settlement Hierarchy

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that Plaistow & Ifold has been properly identified as a service village in the settlement hierarchy.

### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

We note from policy H1 that the components of housing supply include outstanding housing commitments without planning permission from the 2015 adopted Local Plan, the Site Allocations DPD, and 'made' Neighbourhood Plans.

However, it is unclear how the above housing supply components have been calculated and how they have translated into the strategic and non-strategic allocations in policies H2 and H3.

In the case of Plaistow and Ifold, the last adopted 2015 Local Plan identified the settlement with an allocation of 10 dwellings. The subsequent Site Allocation DPD identified land north of Little Springfield Farm for 10 no. units. A Neighbourhood Plan for Plaistow and Ifold was produced but was withdrawn and no site allocations were confirmed. The allocated site north of Little Springfield Farm remains undeveloped.

With specific reference to Plaistow & Ifold we would therefore query whether 1) the existing housing commitments without planning permission in the 2015 Local Plan and the Site Allocations DPD have been double counted, and 2) whether the non-implementation of the 10 units from the 2015 Local Plan have been ring fenced to count against the new proposed allocation of 25 dwellings at the settlement? In which case, we would question why a further 15 dwellings are only proposed at a service village in the hierarchy compared to other service villages in the NE part of the district which are proposed for higher levels of development (Loxwood 220 dwellings, Kirdford 50 dwellings and Wisborough Green 75 dwellings).

If the 25 dwelling allocation at Plaistow & Ifold is intended to be additional to the 10 units identified in the last 2015 Local Plan, then the allocation should be increased to 35 dwellings as a minimum to reflect the non-implementation of the 2015 allocation.

### Policy H3 – Non-Strategic Parish Allocations

Policy H3 identifies non-strategic parish allocations. We have explained above our queries with the 25 dwelling allocation to Plaistow & Ifold, whether it has allowed for the non-implementation of the 10 units in the last 2015 Plan and why it compares so unfavourably with much higher levels of development for the other service villages in the NE part of the district.

We would also query why the options outlined in the PINS advisory visit of 2021 have not been more thoroughly tested for increased housing provision in the north part of the district to increase the supply of housing to meet OAN. There is no updated Settlement Hierarchy background paper, and the revised housing distribution has not been justified anywhere in the evidence base for the Regulation 19 Local Plan.

### Policy T1 – Transport Infrastructure

The policy objectives to ensure new development is well located and designed to avoid or minimise the need for travel and encourage the use of sustainable modes of travel as an alternative to the private car are supported. However, the proposed contribution of £7.7k per dwelling towards A27 highway improvements applies to new housing across the district even in the NE part of the district where impacts from development on the A27 will be less than developments in the south of the district.

In any event it is unclear how the contributions are justified when the responsibility for trunk road infrastructure improvements rests with National Highways.

The proposed contribution in T1 is therefore questioned and in our view, flawed. The level of contribution set out in the policy and the principle of a contribution will therefore require further testing at the forthcoming Examination.

## Change suggested by respondent:

The role and impact of existing unimplemented commitments in the housing land supply on the proposed non-strategic allocations in H3 requires further clarification in lower case policy text.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Domusea Reg 19 - <https://chichester.oc2.uk/a/sf5>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Greenwood Group Ltd [7406]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

We have already explained our reasons why Sidlesham should be included as a 'service village' in the hierarchy in connection with S2. Based on this revision to the hierarchy, it follows that some housing should be directed to Sidlesham. We believe a parish allocation of the order of 35-70 dwellings would be justified.

Assuming this is accepted we would point out that the 2021 HELAA Site Ref HSI0004 referred to above is still available at Greenwood Nursery Highleigh Road Sidlesham. The Council said the site was deliverable and had an identified capacity of around 35-67 dwellings.

The proposal would generate fewer trips (and no HGV's) compared to the existing nursery business.



**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Our comments concern the Sustainability Appraisal for the Local Plan and the following policies in connection with Sidlesham: S2 - Settlement Hierarchy and Parish Housing Sites - H3. In our view, Sidlesham should be re classified as a service village in the hierarchy and allocated a modest level of development. This would improve the overall plan in terms of its performance against the 'justified' test of soundness.

**Sustainability Appraisal (SA)**

This forms part of the evidence base for the Local Plan Review. It has updated the SA prepared for the last Preferred Approach 2018 Local Plan. We note from paragraph 5.2.11 of the updated SA that the southern part of the plan area (i.e. the east west corridor and the Manhood Peninsula) is highly constrained by capacity on the A27. Detailed discussions with National Highways and WSCC, over the course of 2019-2022, have led to a resolution that there is capacity for no more than 535 dpa in this area (with a further 40 dpa in the north part of the District outside the National Park). This contrasts with the actual housing need for the area of 638dpa.

The figure of 535dpa has now been adopted for the submission Local Plan in the southern part of the plan area with no standard 10% supply buffer.

Under providing against OAN will be a matter for discussion at Examination but even accepting the 535dpa can be justified in the south part of the district we still have concerns about the housing distribution for the manhood peninsula. For instance, in order to avoid traffic impact issues on the A27, paragraph 5.2.23 of SA says this would need avoid or minimise growth on the Manhood Peninsula and weight growth to the west of Chichester. Paragraph 5.2.29 also states that growth should be limited on the peninsula because of the need to cross or join the problematic Stockbridge and Whyke A27 junctions which is an issue for private car travel and bus connectivity.

We disagree with this analysis however. 1) it does not explain why development to west of Chichester will not cause the same impacts of having to cross the A27 as suggested will occur for the peninsula; and 2) it assumes the direction of travel will always be towards Chichester. However development on the peninsula could help support local facilities already present in the area and looking in the other direction, could help support the vitality of Selsey and East Wittering as settlement hubs. 3) Development could also help the local economy on the peninsula and introduce a younger profile to the area which the SA notes has a very significant older age structure (33% of those living on the Manhood Peninsula are aged 65+).

The table B in the SA lists the developable 2021 HELAA sites (Housing and Economic Land Availability Assessment). It includes Site Ref HSI0004 at Sidlesham on page 86. Across a range of performance indicators the site scores 13 green, 4 light green, and 3 red points. Red indicates a significant negative effect; light green a positive; and green a significant positive effect.

Despite the very positive scoring of the site, it has been completely overlooked for any development because of the ranking of Sidlesham as within the 'rest of the plan area' category.

**Policy S2 – Settlement Hierarchy**

The Settlement Hierarchy background paper was prepared for the last Preferred Options Local Plan in Dec 2018. It has not been updated for the Submission Plan but provides justification for the hierarchy in Policy S2 of the Local Plan. It forms the basis for the proposed distribution of growth by distinguishing between those settlements considered to be the most sustainable having the best range of facilities and accessibility from those with the least. Most development is focused on the former and development to meet local needs or no development whatsoever on the latter. Paragraph 4.8 of the background paper includes Sidlesham in the 'rest of the plan area' least suited for development because it does 'not contain the range of facilities and services to be classified as sustainable'.

We therefore disagree with this classification and believe Sidlesham should be included as a 'service village in the hierarchy based on its population and range of available facilities.

The Councils own Settlement Capacity Profile 2013 shows Sidlesham with a population of over 1,100. This historic population is more than Boxgrove, Kirdford and Westhampnett which are all service villages in Policy 2 of this draft Local Plan.

Sidlesham has 4 employment areas at Enbourne Business Park, Walnut Tree Science Park Locks Lane, Jury Lane and the Horticultural Development Area. Community facilities include a petrol filling station with convenience store and off licence, church, recreation ground and football field with licensed bar and hall, primary school with sports hall available for wider community use, 2 other pubs (one a 'gastro pub' at Sidlesham Quay). Access to bus services are available from the B2145, 1 regular daytime bus service (51) linking to Chichester & Selsey (Most frequent daytime service, every 15 minutes). A more irregular daytime bus service (150) is on Mondays, Wednesdays and Fridays (3 daytime services in each direction).

Based on this range of facilities we therefore believe Sidlesham should be re-categorised as a service village and allocated for a modest amount of development. This would support its existing facilities and the settlement hubs of Selsey and West Wittering. A modest amount of development need not lead to critical impacts on the A27 as travel impacts would not necessarily be attracted towards Chichester.

**Policy H3 – Parish housing Sites**

We have already explained our reasons why Sidlesham should be included as a 'service village' in the hierarchy in connection with S2. Based on this revision to the hierarchy, it follows that some housing should be directed to Sidlesham. We believe a parish allocation of the order of 35-70 dwellings would be justified.

Assuming this is accepted we would point out that the 2021 HELAA Site Ref HSI0004 referred to above is still available at Greenwood Nursery Highleigh Road Sidlesham. The Council said the site was deliverable and had an identified capacity of around 35-67 dwellings. A draft layout plan is attached showing a 35 dwelling scheme. The site is outside the designated horticultural development area, within flood zone 1 (least liable to flood) and has no biodiversity or heritage interest. It is located outside the Chichester Harbour Area of Outstanding Natural Beauty. It has a footpath link to the nearby school.

The proposal would generate fewer trips (and no HGV's) compared to the existing nursery business.

**Change suggested by respondent:**

Policy H3 - Sidlesham should be allocated around 35-70 dwellings.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Greenwood Reg 19 - <https://chichester.oc2.uk/a/sf6>  
Greenwood Plan - <https://chichester.oc2.uk/a/sf7>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Hanbury Properties [1697]

**Agent:** Smith Simmons Partners (Paul White) [7650]

### Summary:

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

### Full text:

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. The Regulation 19 Plan is not legally compliant as it has not been reviewed within 5 years of the last Plan adopted in July 2015. It is also disappointing that the failure of the current Regulation 19 Local Plan to meet objectively assessed need (OAN) of 638 dpa outside the national park has not been properly evidenced in any up to date statement of common ground with neighbouring authorities with regards to the 'duty to cooperate'.

At this stage we believe the Plan as drafted therefore fails the 'positively prepared', 'effective', and 'consistent with national policy' tests.

In addition, with regard to the longer term growth requirements and the singular issue of a potential new settlement the plan also fails the 'justified' and 'consistent with national policy' tests of soundness.

### Duty to Cooperate

The 2014-2029 Local Plan adopted in 2015 does not meet the full objectively assessed housing needs for the area. But it did recognise that future proposals to improve the capacity of the A27 and wastewater treatment works could facilitate additional housing growth. For this reason, it committed the Council to a review of the Plan within five years to ensure that housing needs could be met. That undertaking to review within 5 years was not met.

In 2021 the Council invited an advisory visit from PINS to advise on how the present Local Plan should be prepared. The inspector advised that if the Plan was prepared which did not meet the full housing needs of the area, it would have to show that it had followed the duty to co-operate with neighbouring authorities in maximising the effectiveness of plan preparation.

The inspector said the Duty to Cooperate was therefore critical in the preparation of the Local Plan Review. At the time of the meeting, the council said discussions with neighbouring authorities had been carried out on the basis that the Local Plan Review would meet the full objectively assessed housing needs (OAN) for the area. However if this was not the case, the inspector said evidence of constructive, active, and on-going engagement to determine whether or not development needs could be met elsewhere would need to be shown. Importantly, the inspector said, 1) 'a failure to meet the Duty to Cooperate cannot be remedied during the examination process because it applies to the preparation of the Plan, which ends upon submission', and 2) local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before submitting plans for examination.

The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. In the event, the Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted. Appendix 1 of the Statement of Compliance lists those authorities that were consulted during the earlier Regulation 18 Preferred Approach consultation. Appendix 2 lists those authorities where Statements of Common Ground have been agreed with Chichester DC for the Regulation Submission 19 Plan. No statements have produced or agreed. Therefore as it stands the under provision of housing against OAN in the Plan has not been justified. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy in the NPPF paragraph 24-27 which advises on the duty to cooperate approach.

### Local Plan Policies

The remainder of these comments deal with the Settlement Hierarchy policy S2, H1, H2 H3 and H8.

### Policy S2 – Settlement Hierarchy

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

### Policy H2 – Strategic Site Allocations and Policy H3 – Non-Strategic Parish Allocations

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

**Policy H8 – Specialist accommodation for Older People**

National policy in the online planning practice guidance (PPG) is clear that the need to provide housing for older people is critical. The guidance on the provision of this type of housing states:

- Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require.
- They could provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.
- It includes the following within the general definition of specialist housing - age-restricted general market housing, retirement living or sheltered housing, extra care housing or housing-with-care, residential care homes and nursing homes, and senior co-housing communities.
- LPA's can identify sites for co-housing communities and other specialist housing types for older people, because,
- Allocating sites can provide greater certainty for developers and encourage the provision of sites in suitable locations. This may be appropriate where there is an identified unmet need for specialist housing. The location of housing is a key consideration for older people who may be considering whether to move (including moving to more suitable forms of accommodation).

Factors to consider include the proximity of sites to good public transport, local amenities, health services and town centres.

In our view however, draft Policy H8 doesn't reflect the guidance in the PPG. For instance, although the policy sets out a threshold of provision for specialist housing of housing sites of 200 or more units, there is no guidance on the actual % provision as there is for example, on affordable housing. All it says is the specific type and amount of accommodation required will depend on the size and location of the site.

The supply of specialist housing should not just be focused on large scale housing schemes. The landscape and environmental constraints across the district even outside the national park would not necessarily allow for large 200 plus unit schemes in all locations. To support an ageing population policy should support the provision of suitable specialist housing to meet the differing needs of individuals across a range of options and in a range of locations.

The second part of H8 should therefore confirm that proposals for specialist housing, such as homes for older people will be supported without any policy qualification for a site's location within or outside a settlement boundary or within an AONB where a proposal in its local context is not deemed to represent major development.

Rather than rely on the criteria based approach, the policy should also allow for the allocation of sites for specialist accommodation for older people in a Neighbourhood Plan where a site has the support of local people.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Hanbury Reg 19 - <https://chichester.oc2.uk/a/sf8>

**Object**

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Berkeley Strategic Group (Mr Charlie Rollet-Manus) [7916]

**Summary:**

Berkeley objects to Policy H3 on the basis that it does not provide an adequate allocation of housing to Fishbourne Parish.

**Full text:**

Fishbourne is an area that is well located to Chichester City and should therefore be prioritised as a location for development. The emerging Local Plan, at Policy H3, indicates a housing figure of 30 dwellings to be allocated through the Fishbourne Neighbourhood Plan. Five sites in the parish have been assessed in the HELAA and subsequently discounted, including Lawrence Farm. Given its proximity adjacent to the southern edge of Chichester City and its highly sustainable location, Berkeley believes the site should be allocated in the Local Plan or the Parish housing allocation be increased to enable a review of the Neighbourhood Plan to allocate sites to meet the local housing need more fully.

**Change suggested by respondent:**

The Local Plan needs to provide a greater level of housing to Fishbourne Parish, given its proximity to Chichester City and available capacity, in order to contribute to meeting the housing need of the District.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr david burgin [7924]

**Summary:**

I object strongly to this approach of randomly distributing houses to villages. If we truly are to adopt a low-carbon lifestyle, dwellings need to be built near employment and public transport. Villages have neither.

**Full text:**

I object strongly to this approach of randomly distributing houses to villages. If we truly are to adopt a low-carbon lifestyle, dwellings need to be built near employment and public transport. Villages have neither.

**Change suggested by respondent:**

Put all the dwellings in cities, where they are needed; or, at the very least, within walking distance of a train station or an area served by a regular (i.e. every 30 minutes) bus service running throughout the day.

This would permit people to use public transport to commute, shop reach services such as schools, doctors, hospitals etc.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Crownhall Estates Limited & Martin Grant Homes [8115]

**Agent:** Henry Adams LLP (Mrs Rebecca Tier, Senior Planner) [8116]

**Summary:**

Site submission, Headfoldswood Farm, Loxwood. 325 dwellings.

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation in relation to the land at Headfoldswood Farm, Loxwood, RH14 0SX, as shown on the attached Masterplan Promotional Document, and hereon referred to as the site.

1.2 This representation will provide a written responses in relation the questions in the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District to be delivered through an appropriate strategic allocation policy within the Council's Local Plan or through an Supplementary Planning Document (SPD).

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that we do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given the scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the Plan relies on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above is not precise and does provide any clear timetable for delivery within the Plan period. Whilst the strategy in the comments above could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent. However, due to the lack of evidence to demonstrate this, the 535 dpa figure should be capped. Given the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

3 Development in Loxwood

3.1 Our client's land is located to the west of the village of Loxwood, which is situated to the northeast of the District. The High Street (B2133) runs through the village, connecting the A281 and A272. For a detailed context appraisal of the site and masterplan vision, please see attached the Masterplan Promotional Document. The site was submitted for the Council's call for sites in February 2019 and is included in Council's latest HELAA.

3.2 The Draft Local Plan defines Loxwood as a service village with local facilities and services, these include an infant and junior school, as well as a medical practice, a local shop and community facilities, including a village hall. The village has been identified in the Local Plan as a suitable location for a higher level of growth as it has suitable HELAA sites which could come forward through the Neighbourhood Plan process.

3.3 It is agreed that a strategic expansion to the west of Loxwood is the best option for growth in the north-eastern area of the District as there are fewer constraints within Loxwood in comparison to other villages within the north-eastern area of the District.

3.4 Policy A15 of the Draft Local Plan states that land will be allocated within the revised Loxwood Plan for a minimum of 220 dwellings and supporting

facilities and infrastructure. This is based on a downwards adjustment scenario for Loxwood, but it should be noted this figure is closer to the lower growth scenario of 200 dwellings.

3.5 The Council acknowledges in the SA that the highest growth scenario of 1.650 homes could be justified but there are concerns regarding the deliverability of homes due the potential scale of allocations to meet the higher growth figure which in turn could affect the Council's ability to deliver the housing within the five year period. However, the Plan currently seeks to allocate reasonably sized housing allocations on a number of small-scale housing sites which by this logic could equally affect the Council's ability to meet the Council's five year housing supply. It is recommended that the middle, higher growth scenario of at least 825 homes is sought, which would allow for meaningful growth in order to meet the needs generated by the new community, such as the identified primary school. The higher housing figure would also provide the benefit of more affordable housing provision for the north-eastern area of the District.

3.6 Loxwood Parish Council have produced a revised Draft Neighbourhood Plan which seeks to allocate 126 dwellings plus 17 carried forward from the Made Loxwood Neighbourhood Plan, providing a total of 143 dwellings. The Draft Neighbourhood Plan was submitted to the Council under Regulation 14 in December 2020. It is noted in response to the Reg 19 Local Plan consultation, that Loxwood Parish Council will be objecting to policy A15 and the increased housing numbers of 220 dwellings on sustainability grounds, with specific reference to water neutrality. The recent Parish Council meeting notes also indicate that there is currently little appetite to undergo another Neighbourhood Plan review, which will likely require additional resource and cost.

3.7 There is concern that relying on the Neighbourhood Plan to allocate specific sites in Loxwood, will result in unnecessary delay to delivery of housing in this area given the points raised above. Policy A15 is not therefore considered precise and does provide any clear timetable for delivery in housing within Loxwood within the Plan period. It is therefore recommended that the allocation of housing sites in Loxwood should be based on a higher growth scenario of at least 825 homes which should be delivered either through a Local Plan policy allocation or within an SPD, with a clear timetable of when the SPD will be produced by the Council.

#### Water Neutrality

3.8 One of the constraints of the north-east of the District is the requirement is for all new development to meet water neutrality, to ensure that any new it does not impact further on the habitat site comprising the Arun Valley Special Area of Conservation (SAC) or the Arun Valley Special Protection Area (SPA) & Ramsar site, in terms of groundwater abstraction within the Sussex North Water Supply Zone. It is anticipated that further advice and a mitigation strategy will be created by the Council and its partners to demonstrate how developments can achieve water neutrality. However, at present applicants are required to provide a water neutrality strategy to demonstrate how the development can achieve water neutrality.

3.9 To provide the Council with reassurance that the site is deliverable despite this constraint, our client has commissioned an initial water strategy based on a development of approximately 250 dwellings which includes provision for offsetting. The initial strategy indicates that water neutrality could be achieved for development on the site through water efficient fixtures and fittings, reuse of harvested water through greywater recycling for flushing toilets and offsetting through water efficiency upgrades on an educational facility located within the Sussex North Water Supply Zone. It would therefore appear on the basis of the work undertaken to date, that it would be possible for future development on this site to achieve water neutrality.

#### 4. General Policy requirements

Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs - object

4.1 The above policy sets out a requirement for 124 pitches across the Plan period, which is to be provided for by allocation of pitches on strategic allocation sites proposing 200+ homes.

4.2 Whilst we understand that there may be a district wide need, we understand that the underlying rationale underpinning this strategic approach is that insufficient sites came forward as part of the Council's Call for Sites process. However, whilst this tells us about availability of sites, it doesn't dictate the appropriateness of locations for gypsy traveller provision. It should also be noted that the proposed allocations would not accommodate the overall need and there is no clear quantifiable policy requirement to deliver this need. Accordingly, the approach is not considered to be robust.

4.3 What is clear is that plots are currently available in other areas of the district that have not been taken up by the Council for allocation (namely HELAA ref. HBI0028).

4.4 From our understanding there appears to be a clear absence of information regarding the requirements for pitch provision in localities and the site specific needs that are required to be met. We have not yet seen any evidence from the Council in respect of engagement with the gypsy traveller community in respect of a desire to be located on suburban residential sites – which we consider would contradict with the typical locations of gypsy traveller pitches which are located on rural sites on the periphery of rural settlements.

4.5 Due to the scale and form of the site and specific access names (larger HGVs for static homes and touring caravans) it makes it very difficult to design and suitable means of access that does not appear overly engineered, within a residential housing estate. No consideration appears to have been given to how this can be accommodated within such a site.

4.6 At this time, we consider it would not be appropriate to include such provision until further evidence has been provided on suitability of the approach, need in this specific location and suitability as part of housing allocation of this scale, with a single point of access.

4.7 On the basis of the above, we object to the proposed policy requirement.

#### 5. Conclusion

5.1 Our client's land is ideally placed to be able to fulfil the sustainable expansion to the west of Loxwood and the much needed, identified housing within the north-eastern plan area. The site measures 57.334 hectares and can be considered as a strategic housing site, west of Loxwood, that would deliver a higher growth of housing within this village and would appear to be able to meet water neutrality requirements. This would also support the viability of the services and facilities in the northern villages. This could include a sustainable addition to the existing village of Loxwood, result in significant enhancements to its existing services and facilities, improved links along, and connectivity to the Wey & Arun Canal and provision of at least 825 homes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sfb>

Masterplan promotion document - <https://chichester.oc2.uk/a/sfc>

**Object**

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr David Lock and Ms Melanie Jenkins [7930]

**Agent:** Mr Jonathan Lambert [7926]

**Summary:**

Berkeley objects to Policy H3 on the basis that it does not provide an adequate allocation of housing to Lavant Parish.

**Full text:**

Lavant is an area that is well located to Chichester City and should therefore be prioritised as a location for development. The emerging Local Plan, at Policy H3, indicates a housing figure of zero dwellings to be allocated through the Lavant Neighbourhood Plan. Three sites in the parish have been assessed in the HELAA and subsequently discounted, including Raughmere Farm. Given its proximity adjacent to the northern edge of Chichester City and its highly sustainable location, Berkeley believes the site should be allocated in the Local Plan or the Parish housing allocation be increased to enable a review of the Neighbourhood Plan to allocate sites to meet the local housing need more fully.

**Change suggested by respondent:**

A greater level of housing needs to be allocated towards Lavant parish, given the capacity of suitable sites.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr Michael Jackson [7936]

**Summary:**

I am gravely concerned that after so much prior development the projected number of houses for the village of Kirdford greatly exceeds what is reasonable in relation to its size and village status.

I do not believe this Plan properly reflects environmental constraints or the lack of appropriate infrastructure which is currently under grave strain.

The policy threatens the very identity of Kirdford as a village.

**Full text:**

I am gravely concerned that after so much prior development the projected number of houses for the village of Kirdford greatly exceeds what is reasonable in relation to its size and village status.

I do not believe this Plan properly reflects environmental constraints or the lack of appropriate infrastructure which is currently under grave strain.

The policy threatens the very identity of Kirdford as a village.

**Change suggested by respondent:**

Reduction in the number of houses projected for Plaistow, Ifold and Kirdford.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object**

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Increase provision in certain villages where the sensitivity assessment has shown the capability of accommodating growth and not set out figures based on political pressures from Parish Councils

**Full text:**

Increase provision in certain villages where the sensitivity assessment has shown the capability of accommodating growth and not set out figures based on political pressures from Parish Councils

**Change suggested by respondent:**

Increase Fishbourne and Nutbourne to at least 100; Increase Birdham to 50; Change Selsey, East and West Wittering from 0 to 50 each

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Welbeck Strategic Land IV LLP (Welbeck Land) [7953]

**Agent:** Miss Jess Bain [7952]

**Summary:**

We support the allocation of 50 new homes in Kirdford.

**Full text:**

We support the allocation of 50 new homes in Kirdford. The Plan sets out that this new housing will be delivered through the Neighbourhood Plan process however at the current time there is uncertainty as to if or when the Kirdford Neighbourhood Plan will be formally reviewed. On this basis, we consider it important that a clear alternative delivery mechanism be set out within the Plan to ensure certainty to allow for the Plan to be considered effective.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** 230315 - Reg 19 Representations.pdf - <https://chichester.oc2.uk/a/s4y>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Welbeck Strategic Land IV LLP (Welbeck Land) [7953]

**Agent:** Miss Jess Bain [7952]

**Summary:**

The Plan sets out that this new housing will be delivered through the Neighbourhood Plan process however at the current time there is uncertainty as to if or when the Kirdford Neighbourhood Plan will be formally reviewed.

**Full text:**

We support the allocation of 50 new homes in Kirdford. The Plan sets out that this new housing will be delivered through the Neighbourhood Plan process however at the current time there is uncertainty as to if or when the Kirdford Neighbourhood Plan will be formally reviewed. On this basis, we consider it important that a clear alternative delivery mechanism be set out within the Plan to ensure certainty to allow for the Plan to be considered effective.

**Change suggested by respondent:**

On this basis, we consider it important that a clear alternative delivery mechanism be set out within the Plan to ensure certainty to allow for the Plan to be considered effective.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** 230315 - Reg 19 Representations.pdf - <https://chichester.oc2.uk/a/s4y>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Gladman Developments Ltd (Mr Rob Wilding, Senior Planner) [7816]

**Summary:**

Gladman promoting an omission site to the Draft Chichester Local Plan. Land off Main Road, Birdham. 150 dwellings.

**Full text:**

Gladman are promoting land off Main Road, Birdham for residential development. The site can accommodate a scheme of up to 150 dwellings and is in an entirely suitable and sustainable location to accommodate growth. Figure 1 sets out the location plan of the site, while a development framework plan is included in Appendix of this representation.

The site was assessed as being 'Developable' in the Chichester Housing and Economic Land Availability Assessment 2021 (HELAA ref: HBI00029/29a). The site was concluded by the Council to be suitable, available and achievable and there are no known constraints that would make the development unachievable in principle. Estimated timescales for delivery would be 0-5 years. Gladman fully support the Council's assessment of the site.

The site has good access to social and community infrastructure that would be expected of an edge of settlement location, is not subject to any insurmountable technical or environmental constraints and can accommodate a high-quality residential development that will address identified market and affordable housing needs. The site can deliver a wide range of market and affordable homes to meet Chichester's existing needs general and specialist housing needs and would be able to deliver quickly, without the need for significant infrastructure, within the early part of the plan period. The site represents one of the few opportunities to deliver development outside of the Chichester Harbour Area of Outstanding Natural Beauty location in the authority and thus the potential for development here should be maximised. Gladman currently have a 'live' outline planning application on the site which was submitted to Chichester District Council in June 2021 (application ref: 21/01830/OUT). At the time of writing, the application remains under consideration by the Council.

The remainder of this section describes the site's suitability for residential development in further detail, taking account of the technical studies that have been undertaken to support the delivery of the site to date.

**New Homes**

The site can deliver a wide range of market and affordable homes to meet the district's general and specialist housing needs and would be able to deliver quickly, without the need for significant infrastructure, within the early part of the plan period. Gladman can confirm that the site can deliver a provision of affordable housing on-site in accordance with local planning policy. This is a significant benefit given the significant level of need for affordable housing across Chichester district.

**Community Facilities and Viability**

Proportionate developer contributions towards the delivery of new community infrastructure would be provided alongside any proposals. Gladman will agree requests for developer contributions which meet the relevant requirements of paragraph 57 of the NPPF and CIL regulations 122 and 123.

Gladman would be pleased to agree an initial set of Heads of Terms with Chichester District Council.

#### Open Space and Green Infrastructure

The illustrative Development Framework Plan which supports the application demonstrates how the built development will be set within a framework of open space and green infrastructure. The green space will include a formal locally equipped children's play area (LEAP), informal open space and a community park. The proposal seeks to retain existing landscape features; enhance the existing hedgerows and where possible any loss will be mitigated elsewhere on site. The illustrative Development Framework Plan incorporates these elements within a strategic landscape framework. Generous areas of informal and formal open space will underpin the proposals for the site. The total area of open space provided as part of the site's development would meet Chichester District Council's requirements.

#### Flood Risk Mitigation

Technical work undertaken to date has confirmed that the site is located within Flood Zone 1 (the area at the lowest risk of flooding). The site, therefore, can be developed safely in relation to flood risk and flooding would not pose a constraint to the development of the site. A comprehensive Flood Risk Assessment (FRA) has previously been prepared for the site which demonstrated that the development of the site would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, can reduce flood risk overall. SUDs features incorporated in the development will not only operate technically to reduce flood risk, but could also be used to enhance the onsite biodiversity and will be incorporated into the usable green infrastructure to help create high-quality open spaces. Furthermore, site specific information has been provided to the council to demonstrate that the site is at negligible risk of groundwater flooding.

#### Demonstrating nitrate neutrality

The development is located outside of the Chichester Harbour AoNB and naturally drains in a southerly direction. Through the evidence provided in the Flood Risk Assessment and Habitats Regulations Assessment, the development would not create any nitrate waste into the Chichester Harbour protected area.

#### Highways and Sustainable Transport

The site is accessed from Main Road, via a simple priority junction. It has been confirmed that the required visibility splays can be achieved and that the site access junction will operate comfortably within capacity in both the morning and evening peak periods with the proposed development traffic as demonstrated by the Transport Assessment supporting the 'live' application. West Sussex County Council Highways Team have raised no objection in response to the current application on the site in relation to expected traffic capacity impacts and available junction capacity.

The site benefits from good pedestrian connectivity to the village of Birdham. There are a good range of local amenities and facilities which can be accessed on foot, by cycle or by public transport within nationally recognised acceptable walking and cycling distances. These include, but are not limited to: Nisa Local Shop, Birdham Post Office, Birdham CofE Primary School, Birdham Marina and St James Community Centre which are all within the CIHT 'preferred maximum walking distance' guidance.

The site is situated on the existing local bus network with stops located along Main Road. Due to the proximity of the existing transport network, it would be appropriate to assume bus to be the most accessible and efficient sustainable transport system for future residents. The no. 52 bus serves The Witterings and Birdham to Chichester City running every 30 minutes. The service provides commutable journey times to Chichester with buses starting at 06:58 and returning as late as 22:13. It is possible for future residents of the proposed scheme to easily access sustainable public transport options to further afield via Chichester Bus Station or Chichester Train Station. Both are easily accessible utilising the no. 52 bus service.

#### Public Rights of Way

The proposals seek to enhance the green gateway to the wider countryside and provide improvements to the existing Public Rights of Way (PRoW). Footpath (FP) 48 currently runs to the north of the site and continues to the east towards Sidlesham Lane. This route features in the Green Links across the Manhood's (GLaM) statement as GLaM route 8, identified as Mapsons Lane, which is earmarked to be upgraded from an existing farm track to a bridleway. FP48 is of particular importance within Birdham as it connects to the Salterns Way, a Chichester to West Wittering cycle way (via Crooked Lane) in one direction and to Sidlesham Lane / Batchmere Road in the other which leads to Bracklesham and East Wittering. However, the land required to undertake these improvements falls within private ownership, so this aspiration has to date been undeliverable.

As part of the development proposals, Gladman is proposing to upgrade the existing FP48/GLaM Route 8 to a minimum 3 metre width and to an agreed specification. Improvements to FP48/GLaM Route 8 could be secured via planning condition, likely requiring the work to begin prior to the occupation of an agreed quantum of housing.

In conclusion, there are no outstanding technical objections on the site identified by statutory consultees through the submission of the current 'live' planning application on the site. Alongside the delivery of affordable housing, development of the site will offer the opportunity to deliver a number of other benefits, including:

- A commitment to deliver a high-quality development through the inclusion of a design code, which sets a benchmark for further reserved matters applications;
- Significant areas of attractive and diverse greenspace for new and existing local residents including the provision of a community park and a village green;
- Provision of play areas plus recreational footpaths within the site that would be publicly accessible to new and existing residents;
- Securing net gains in biodiversity through the provision of vast green infrastructure and new wildlife habitats and retention and enhancement of existing ones;
- Improvements to local cycle routes, footpaths and PRoW, delivering GLaM Route 8 to a specification that will enable this to become a dedicated Bridleway; and
- An economically active population generating total gross expenditure of approximately £5.4million annually, benefiting the local economy.

#### Change suggested by respondent:

Gladman promoting an omission site to the Draft Chichester Local Plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Land off Main Road, Birdham - Site Submission.docx - <https://chichester.oc2.uk/a/sd3>



## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr David Leah [6440]

**Summary:**

The Boxgrove Neighbourhood Plan team contest the allocation of 50 dwellings as not being achievable for reasons of:

- Lack of consultation
- % of parish land in the SDNP
- Sites assessments
- Fair treatment of parishes
- Policy NE10 building in the countryside
- School capacity
- Conflict with heritage assets P9 P10 P11
- Grading of agricultural land for development NE2

**Full text:**

The Neighbourhood Plan team of Boxgrove Parish Council wish to contest the allocation of 50 dwellings during the Local Plan duration.

The Local Plan consultation period has not allowed sufficient time for proper local consultation and includes proposals that have never previously been consulted upon.

We do not understand how so many of the sites, previously discounted in the 2018 HELAA, for various reasons, are now designated in the 2021 HELAA as having 'no known constraints' to development on the same sites.

Furthermore, out of 11 Service Village Parishes, found to have potential sites for dwellings in 2018, 7 of these now have a zero allocation in the Local Plan. Boxgrove has been allocated 50 dwellings, despite over 50% of Boxgrove's land area lying within the boundary of the SDNP.

All of the sites identified are outside of the existing Settlement Boundary, and are therefore in 'The Countryside', in contravention of your Policy NE10.

The village school is at capacity and there are no known plans to expand it.

There are future capacity issues at the A27 Tangmere roundabout junction and concerns about future short cutting through Boxgrove and the already narrow and winding local roads to the north.

Boxgrove and the village of Halnaker both have Conservation Areas and there are a total of 51 listed buildings and two Scheduled Monuments in the Parish many of which would be affected by development on the sites identified.

The Conservation Area Character Appraisals identify many long views out of the CA's, which would be compromised by development.

Development would be in contravention of your Policies P9, P10 and P11 of the Local Plan.

All the sites, identified as potentially developable, are on agricultural land. These are either currently farmed, are vineyards or are livery. This land is graded 2 or 3 in contravention of Policy NE2 Natural Landscape.

In conclusion, we believe that the HELAA and the allocation of 50 dwellings for Boxgrove in the Local Plan are unachievable on most of the sites identified. We are sure that a small number of sites for a lower number of dwellings maybe achievable, and intend to consider this as part of the revisions to our Neighbourhood Plan.

**Change suggested by respondent:**

We would want to see a reduction in the housing allocation to a number that we believe is achievable on what land is available.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement with qualification  
In a rural village with limited land availability, developments of fewer than 6 dwellings should count towards allocated housing totals; developments of this size are more easily integrated into a village.  
It is essential to delegate to the NP process the ability to make minor amendments to the H3 policy numbers.

**Full text:**

WGPC supports this statement with qualification  
In a rural village with limited land availability, developments of fewer than 6 dwellings should count towards allocated housing totals; developments of this size are more easily integrated into a village.  
It is essential to delegate to the NP process the ability to make minor amendments to the H3 policy numbers.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]**Summary:**

Please refer to the attached document for a detailed response. In summary we consider that policy H3 is not justified and is therefore not sound. The allocation of 75 homes to Wisborough Green is inconsistent with the approach to housing distribution set out in other policies. CDC has made a strong case for the reasons why development in the southern part of the district is constrained, but it is in error in then considering that the northern part of the district can accommodate additional development above that suggested during the Regulation 18 consultation. A sustainability-based approach does not support the proposed allocation and it should revert to that proposed at Regulation 18 stage.

**Full text:**

Please refer to the attached document for a detailed response.

**Change suggested by respondent:**

Please refer to the attached document for a detailed response. A sustainability-based approach does not support the proposed allocation and it should revert to that proposed at Regulation 18 stage.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** CDC Local Plan - WGPC response to Policy H3 Non Strategic Parish Housing Requirements.pdf - <https://chichester.oc2.uk/a/s68>**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Mrs Elizabeth Sullivan [8001]**Summary:**

The proposed quota for villages in North has been set because the Council seem unable to resolve its issues regarding A27. Residential development better suited to the large towns in the South and need to commit to a solution to the A27

There should be consideration of all of the factors such as infrastructure, ecology, utilities, public transport, car reliance, school places, medical facilities and sewage capacity.

The proposed changes will cause irreversible harm to biodiversity and character of the area. The proposed number of houses is huge in proportion to the existing size of the villages.

**Full text:**

I am concerned that the proposed housing quota for the villages to the North has been set because the Council have been unable to resolve its issues regarding the A27. Residential development of any scale is better suited to the large towns in the South and the Council need to commit to a solution to the A27 and then a housing policy around it. Allocating housing to the North as a short term fudge will only serve to create long term issues for future generations to struggle with.

Beyond the A27 there is no logic to the revised allocations for the villages to the North and that is unacceptable. Any allocation needs to be based on a sound evidence base and strategy and the Council have failed to evidence such a case.

I firmly agree that a local plan should be in place but it must be one that is sound and which has properly considered all of the factors such as infrastructure, ecology, utilities, public transport, car reliance, school places, medical facilities and sewage capacity. Any reasonable analysis of the villages in the North clearly shows that they are unsuitable for the extent of development now proposed. Any reasonable analysis would show that any number of towns to the south would be much better suited.

The proposed changes to the housing allocation for the villages to the North will cause irreversible harm to the local biodiversity and character of the area. The proposed number of additional houses is huge in proportion to the existing size of the villages. No consideration of scale in the current proposal.

Assumptions that have formed the basis of the allocations are flawed, there a simply no buses so which buses will the new residents be using? The local bus runs between 10am and 2pm 4 days a week. That is not sufficient to sustain a viable community with work and wellbeing commitments.

There is no shop in Loxwood so how is it a service village?

All in all the revised allocations are based on ill conceived notions and poor judgement and should not be adopted. The allocations made in 2018 were sensible, the increase in 2020 were excessive and the proposed increase in 2023 is frankly wrong and needs to be withdrawn.

**Change suggested by respondent:**

The allocation of housing to the north need to be reduced back to the levels allocated in 2020

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Chichester Grain Ltd [7394]**Agent:** Henry Adams Planning Ltd (Ms Ellie White) [7536]**Summary:**

Concern is that the Plan relies on the delivery of Neighbourhood Plan and/or Small Site Allocations DPD. In terms of delivery, Policy H3: Non-Strategic Housing Policy Requirements 2021-2039, states the following:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

The above does not provide any clear timetable for commencement of a DPD and thus is not considered to be an effective approach to housing delivery.

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Chichester Grain. The submission

covers the general principles of the Local Plan but has a focus on Land at Chichester Grain Stores, Hambrook, Southbourne. The land is shown on the attached plan HA Appendix 1: Site Location Plan, and hereafter referred to as 'the site'.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

## 2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions and is the final consultation phase before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Local Plan or at least through the allocation of numbers to the Parish, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1: Spatial Strategy, sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1: Meeting Housing Needs sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

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2.5 The SA discusses the potential growth scenarios and confirms two points:

(i) Standard method housing figure for Chichester (excluding South Downs National Park) is 638 dwellings per annum, or 11,484 in total over the Plan period; and

(ii) The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa).

2.6 Of particular note is that point ii. seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. It should be noted here that the 435 dpa figure within the 2015 Local Plan was below the identified need of 505 dpa. This reduced housing figure was accepted on the basis of an early review, but this early review did not take place.

2.7 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan figure, amounting to 575 dpa. This is lower than both the standard method figure of 638 dpa and the previously consulted Preferred Approach figure of 650 dpa which accommodated some unmet need from the South Downs National Park Authority.

2.8 This draft Local Plan seeks to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network and constraints on Waste Water Treatment Works. The Council therefore arrive at a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

2.9 The Transport Study (January 2023) is the key document on which the Council rely to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study notes that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works.

2.10 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure in the Transport Study, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF, do not appear to exist and the Plan could be considered unsound on this point alone.

2.11 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need. This is

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of relevance given that the previous Local Plan underprovided against the OAN, and when considering the scale of development expected for adjoining authorities, including the highly constrained SDNP. 2.12 Given that it is not accepted that the A27 capacity matters present a ceiling in terms of housing delivery, it is not accepted that the Plan and associated SA demonstrate that reasonable alternatives have been considered. The plan is not therefore positively prepared, nor is the approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 One further concern is that the Plan relies on the delivery of Neighbourhood Plan and/or Small Site Allocations DPD. In terms of delivery, Policy H3: Non-Strategic Housing Policy Requirements 2021-2039, states the following:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above does not provide any clear timetable for commencement of a DPD and thus is not considered to be an effective approach to housing delivery.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify the alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

## 3 Duty to Cooperate

3.1 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

3.2 The draft Plan does not address any need requirements in relation to unmet housing need of neighbouring authorities. Nor does it contain evidence to suggest that these matters have been discussed with the adjoining Authorities.

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3.3 The housing figures presented do not account for unmet need from the South Downs National Park Authority. Whilst a Statement of Common Ground has been referred to, it has not been published and therefore it is not possible to determine whether the decision not to make any provision for the National Park is sound.

3.4 Further, Arun District Council has confirmed that it will be objecting to the Plan as currently proposed on the basis that it has a significant housing need. This is likely to be further influenced by Chichester not meeting its own needs, a repeat of the 2015 situation which resulted in Arun having to address some of this within its 2018 Local Plan.

3.5 If the Plan is to proceed on the basis of providing 575dpa as per Policy H1, this will amount to a shortfall of 1,100 dwellings over the plan period. Without any Statements of Common Ground, it is unclear as to how this shortfall will be addressed.

## 4 The Site and its suitability

4.1 Our client's site is well placed to accommodate any additional numbers required and offers a distinctively different scale of development to that proposed in the single large site allocation. It can also be delivered, whilst protecting this part of Southbourne, but also Hambrook to which is more readily relates.

4.2 The development of this land would provide a number of benefits;

☒ The development would include a mix of high-quality homes, including affordable to meet the varying needs of the community;

☒ The site is well-connected to local services and facilities, within walking distance of the post office, train station and employment;

- ☒ It would support the viability of local services and facilities;
- ☒ The site is not subject to any environmental designations or constraints and its development would not impact the South Downs National Park or Chichester Harbour AONB;
- ☒ Retention of existing boundary treatments alongside the provision of additional landscape features and open space will ensure net biodiversity gain and greater access to public open space;
- ☒ Retention of the trees and mature boundary hedgerows, particularly on the frontage to Priors Leaze Lane will retain the rural setting;
- ☒ The site is not constrained and does not rely upon significant infrastructure improvements in respect of delivery. It will ensure that where required, contributions will be made to ensure sufficient capacity is maintained for local facilities.

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#### 5 Other Policy Considerations

5.1 Policy NE4 Strategic Wildlife Corridor – object Policy NE4 states that ‘Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

1. There are no sequentially preferable sites available outside the wildlife corridor; and
2. The development will not have an adverse impact on the integrity and function of the wildlife corridor and protects and enhances its features and habitats.’

5.2 We are of the view that our clients land has development potential and could be well placed to assist in the delivery of additional housing number required within the draft Local Plan and are of the view that the blanket wildlife corridor is quite extensive and should be reduced in size.

Representations were also submitted to this effect to the Southbourne Neighbourhood Plan Regulation 16 Consultation.

5.3 We acknowledge the importance of the protection of wildlife generally, and the local eco-systems, however, this submission is supported by an Ecological survey which confirms that our site should not be covered by a Wildlife Corridor to the extent currently proposed. The Wildlife Corridor should be reduced to the immediate site and not as currently proposed under Policy NE4.

5.4 The land at Chichester Grain lies adjacent to the Ham Brook Chalk Stream. The draft Local Plan introduces a Wildlife Corridor along this section of stream. It is our view that the proposed extent of the wildlife corridor is excessive and should be reduced. It is also our view that the wildlife corridor could accommodate a break to provide a means of access to our client’s site, without harming the purposes of the corridor.

5.5 The recommendations of the report are to reduce the scale of the wildlife corridor and also ensure policy flexibility to allow access through these areas and appropriate requirements to enhance and mitigate against any proposed development.

5.6 In terms of the details of the site, habitats present within the site area are of low ecological value. It is noted that there are sites with intrinsic nature conservation value within the area, however, there are suitable mitigation and compensation methods which could protect these habitats.

5.7 The mitigation methods that could be proposed to remove any significant harm to ecological value of the land (which is low as existing), comprise:

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- ☒ Provision for CEMP for any proposed development;
- ☒ Retained habitats on site borders should be enhanced;
- ☒ Provision for an ecologically sensitive lighting scheme;
- ☒ Use of bird boxes within any proposed development; and
- ☒ Inclusion of Hedgehog Highways.

5.8 As shown, the land at Chichester Grain is of low ecological value, and should not be included, to the extent currently proposed, as a wildlife corridor within Policy NE4. The Council is further applying yet another restrictive ‘additional layer of planning restraint’ in a District which is already highly constrained by for example, AONB, National Park, numerous ecological designations, Local Nature Reserves/National Nature Reserves, Water Neutrality and Nutrient Neutrality.

5.9 Furthermore, we have set out mitigation methods which could be applied to any forthcoming application or allocation of the land, which would enhance the ecological value of the site, and protect the intrinsic value of the sites within the locality.

#### 6 Conclusion

6.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, this is significantly lower than the standard method figure of 638 and previously consulted figure of 650 dpa. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa scenario plus some additional mitigation at the Portfield roundabout.

6.2 The Council do not appear to have considered that the increased housing requirement could assist with funding the necessary highway improvements and thus this should be further reviewed by the Council in order to aim to meet the minimum of 638 dpa.

6.3 The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the National Park.

6.4 Policy NE4 introduces wildlife corridors, which could be accepted however, the supporting policy maps should be amended and the wording of the policy updated to reflect flexibility to allow appropriate breaks in the corridor for those areas that are of low ecological value, such as our Client’s land.

#### Change suggested by respondent:

Consideration of omission site - Land at Chichester Grain Stores, Hambrook, Southbourne

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sh7>

Preliminary Ecological Appraisal - <https://chichester.oc2.uk/a/sh8>

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Plaistow and Ifold Parish Council (Mrs Catherine Nutting, Clerk & RFO) [7910]

**Summary:**

Nuances of proposed 'small scale' development within the North of the Plan Area are to be appreciated:

All housing numbers advocated are large-scale for the current size of the settlements in this area and will increase their population sizes, without providing any services / facilities to manage this increase. The Plan cannot alter constraints such as the proximity of the SDNP; rare ecology; and other infrastructure including higher education / transport links - many of which are oversubscribed or situated outside of the District .

Whilst proposed numbers are small when compared to the rest of the District, any housing number above that which the current local area can reasonably accommodate is unsustainable development.

**Full text:**

The drafting of this section of the Plan does not match the landscape character evidence in relation to settlement character. The ambition to support landscape quality in the North of the Plan Area is supported by the Council, but it is undermined by identifying all the settlements as 'Service Villages'. Plaistow, Ifold and Kirdford in particular are all small villages in comparison with Loxwood and Wisborough Green, which are larger scale settlements and different in character terms. By labelling them all as 'Service Villages' will risk these smaller villages becoming treated as larger 'Service Villages' in time, which will risk them losing their character and settlement hierarchy within this area. These smaller villages should be reclassified as "Rest of Plan Area: Includes the countryside and other small villages and hamlets which have poor access to facilities."

The Plan identifies that there are few large settlements North of the Plan Area. To ensure this distinctive area of the District is correctly conserved and, where appropriate, enhanced in keeping with the aspirations set out in Chapter 2: Vision and Strategic Objectives, North of the Plan Area, paragraphs 2.49 – 2.51 it is important that the various settlements within the area are correctly identified. Compared to Fishbourne, Boxgrove, and Westhampnett\* Wisborough Green is an isolated exceptionally rural village; however, when you compare Wisborough Green to Plaistow, Ifold or Kirdford, Wisborough Green appears more akin to a true 'Service Village'.

\*proximity to A27, public transport, Chichester city and other higher order settlement hubs, services and facilities

Therefore, it is incorrect to list Plaistow, Ifold, Kirdford, Wisborough Green and Loxwood in the same 'Service Village' category as Fishbourne, Boxgrove, and Westhampnett etc as this does not correctly recognise the true scale of the settlements in the North of the Plan Area, which are materially different from the rest of the District.

Settlements are 'small and dispersed' with poor connectivity either to each other or to other settlement hubs. To do so, is contrary to the Plan's aspiration to maintain landscape quality. The Plan's policies need to correctly reflect the characteristics of each landscape. If settlements are incorrectly identified any growth will be unsustainable and will change the character of the whole landscape. The ambitions should be constrained by an area's landscape capacity.

Chichester's landscape evidence remains the Capacity Study 2019. The results of this study should be correctly reflected within Plan policies.

Whilst the Council understands that some small-scale development is required within the North of the Plan area and supports this, it wishes to act as a critical friend to ensure that the nuances of the proposed small scale development is fully appreciated.

All housing numbers advocated for the North of the Plan Area are large-scale for the current size of the settlements in this area and will increase their population sizes, without providing any services / facilities to manage this increase. In truth, the Plan cannot / does not deliver the required services / facilities the current settlements need, irrespective of any additional growth. The Plan cannot alter the proximity of the SDNP; the areas dark skies; its rare ecology; the poor rural road networks; the proximity of key services to these northern settlements e.g., secondary schools / higher education / transport links - many of which are situated outside of the District itself; the lack of supermarkets; the lack of other services which are necessary to support a diverse population i.e., libraries, children's centres, job centres etc and the dependence on private vehicles.

The various services / facilities required to support bigger population sizes are outside of the control of CDC and the Local Plan – medical services / school placements (primary, secondary, and higher education) / public transport services / leisure / retail. Therefore, whilst 25, 50, 75, 220 are very small housing numbers when compared to the rest of the District, if the local services upon which these additional residents will rely upon are already oversubscribed – which they are - and there is no prospect of delivering the requires support services in the area – which there is not - then any housing number above that which the current local area can reasonably accommodate is unsustainable development.

**Change suggested by respondent:**

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**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr Andrew Jackson [5294]

**Summary:**

The increased allocations for NE area are a direct reaction to the infrastructure issues surrounding A27 in the south. CDC are obliged to look elsewhere with 'no stone unturned', yet there is no comparable evaluation of infrastructure resources in the NE. The presumption is simply 'they can cope with more'.

The targets have been set by unsound assumptions.

The duty of co-operation with neighbouring authorities is only at macro level, and does not consider the relatively large impact to the NE area of the massive Billingshurst and Dunsfold developments - all within 3 miles of the NE villages.

**Full text:**

The increased allocations for NE area are a direct reaction to the infrastructure issues surrounding A27 in the south. CDC are obliged to look elsewhere with 'no stone unturned', yet there is no comparable evaluation of infrastructure resources in the NE. The presumption is simply 'they can cope with more'.

The targets have been set by unsound assumptions.

The duty of co-operation with neighbouring authorities is only at macro level, and does not consider the relatively large impact to the NE area of the massive Billingshurst and Dunsfold developments - all within 3 miles of the NE villages.

**Change suggested by respondent:**

Development allocations for the NE plan area have been set a High level of growth, an increase over a lower level advised by CDC in 2018. Whether or not the new increases to the NE plan area are delivered - they are insignificant at the district and county level - however they are massive at village level. The accumulative impact will make village dwelling numbers increase 30% to 70% over a 10 year period (from when these villages started Neighbourhood Plans) which risk irreversible change to their character. The area includes quintessential examples of the Sussex village which risk being lost in a development sprawl all the way beyond Crawley with few and dwindling gaps.

The policy does expect village development sites to be allocated through Neighbourhood Plans (NP) process, however the targets have been set by unsound assumptions and limited analysis of the HEELA process.

**Proposed change:**

The H3 policy should allow the NE villages to set their own levels of development through the NP process, from a target range set from the Lower growth values and the value in the March 2023 proposal. For example, Wisborough Green would have range 40 - 75 allocation, not the fixed and arbitrary 75.

With this change, the NE villages can use the more rigorous NP process of site evaluation, and can use the better and more local knowledge of resources to 'fine tune' the practical growth that each NP area can plan for.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mrs Maureen Chaffe [8022]

**Summary:**

There has been no consultation with parishes over the revised Parish Housing Requirements. Whilst the situation on the Manhood Peninsula is accepted there are equal issues in Boxgrove with over capacity on the A27, flooding and drainage issues, capacity at the local school and general lack of facilities.

**Full text:**

There has been no consultation with parishes over the revised Parish Housing Requirements. Whilst the situation on the Manhood Peninsula is accepted there are equal issues in Boxgrove with over capacity on the A27, flooding and drainage issues, capacity at the local school and general lack of facilities.

**Change suggested by respondent:**

Most of the sites in the 2021 HELAA were previously considered by CDC to be not suitable for development yet they are now considered to be so. There is no rationale for this decision. The Boxgrove NP is undergoing review and should be allowed to determine what is deliverable in the Parish not given an arbitrary housing number with no evidence to support its delivery.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** BoxgroveallocationLPlanfinal.docx - <https://chichester.oc2.uk/a/s7b>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr Phillip Luff [8017]

**Summary:**

25 additional homes for Plaistow and Ifold is excessive as I don't believe there is a local need for so much housing. The existing infrastructure cannot support that number of houses: the rural lanes and roads are already strained and not being maintained, the water supply cannot sustain that number of houses, this will be a threat to the quiet, rural nature of the villages, in particular Plaistow.

**Full text:**

25 additional homes for Plaistow and Ifold is excessive as I don't believe there is a local need for so much housing. The existing infrastructure cannot support that number of houses: the rural lanes and roads are already strained and not being maintained, the water supply cannot sustain that number of houses, this will be a threat to the quiet, rural nature of the villages, in particular Plaistow.

**Change suggested by respondent:**

Reduce the number of additional houses in Plaistow and Ifold to 10.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Obsidian Strategic [7973]

**Agent:** Andrew Black Consulting (Mr Andrew Black, MD) [7597]

**Summary:**

The overall strategy as set out by CDC in the plan is highly dependent on the delivery of housing from Neighbourhood Plan areas. Whilst this approach is not un-sound in itself, it is considered that the plan in its current form allows for little mitigation or alternatives should delivery not come forward in the neighbourhood plan areas.

**Full text:**

I write in response to the regulation 19 consultation version of the Chichester Local Plan 2021/2039 on behalf of my client Obsidian Strategic.

Obsidian Strategic have an interest in a site to the South of Main Road, in Hermitage, within the Southbourne Neighbourhood Plan Area. Further details in relation to the site are set out within the appendices of these representations and referred to throughout.

**Housing Requirement**

The identified housing need for Chichester District Council (CDC) as calculated by the standard method is 638 dwellings per annum (dpa). However, the local plan only seeks to provide 575 dpa or a total supply of 10,350 over the plan period (2021-2039). As result the proposed strategy represents an under supply of 1,134 over the plan period. Furthermore, the undersupply means that CDC is unable to accommodate the unmet arising from the South Downs National Park.

In recent years CDC has not been able to demonstrate a five year housing land supply nor has it delivered housing against the requirements of the Housing Delivery Test. It is therefore important that the unmet need is made up within the early part of the plan period.

Paragraph 5.2 of the plan states that the under supply is due to constraints across the district particularly the capacity of the A27.

Policy H1 (Meeting Housing Needs) sets out the housing target of 10,350 dwellings to be delivered over the plan period 2021-2039. Considering the existing commitments, allocations and permissions this gives a remaining figure without planning permission of 3,056 homes for allocation in the Local Plan.

**Strategic Allocations**

Policy H2 of the reg 19 plan sets out the following strategic site allocations which are carried forward from the 2015 Local Plan:

**\*\*Table\*\***

Table 11 of the latest Annual Monitoring Report (AMR) (produced in November 2022) show the progress of delivery from these allocations:

**\*\*Table\*\***

Table 12 of the AMR sets out the progress of the large sites towards future delivery as follows:

**\*\*Table\*\***

The Housing Trajectory as set out in Appendix E of the Local Plan shows delivery of the existing allocations as set out under policy H2. Given that the Land at Shopwyke (A7) and the Land at Westhampnett/North-East Chichester (A9) already have permission for the number of dwellings in the allocation and construction has already started, there is no objection to the predicted levels of delivery as set out in the trajectory. However, the housing trajectory sets out delivery from the Land West of Chichester (Phase 2) (A6) and Tangmere SDL as follows:

**\*\*Table\*\***

Given that neither of these sites have outline permission then the delivery of units from both sites in a little over 5 years from the adoption of the plan is considered wholly unachievable.

CDC has presented no evidence to justify how this timeframe would be achieved and it is considered that the trajectory is unreliable as a result.

The Local Plan sets out a Broad Location for Development at Southbourne which would be delivered through either the Neighbourhood Plan process or a Site Allocation DPD:

**\*\*Table\*\***

The Housing Trajectory as set out in appendix E of the Local Plan sets out the following delivery from this site:

**\*\*Table\*\***

Given that policy A13 remains as a 'broad area for development' it is not considered that there is adequate justification for the trajectory as set out. Notwithstanding the effectiveness of allocating a site in this way, an exact location for the housing is yet to be defined, nor is delivery through the neighbourhood plan/DPD confirmed (further details on this is set out within the reps). Until a more detailed site can be defined and delivery confirmed it is not considered that CDC is able to guarantee delivery of dwellings in the housing trajectory as it has done so within the plan.

Non-Strategic Parish Housing Requirements

Policy H3 sets out the following housing requirements from individual parishes.

**\*\*Table\*\***

The supporting text of policy H3 sets out that if draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

Table 13 of AMR identifies that there has been historically poor delivery of net housing completions from parishes:

**\*\*Table\*\***

The overall strategy as set out by CDC in the plan is highly dependent on the delivery of housing from Neighbourhood Plan areas. Whilst this approach is not un-sound in itself, it is considered that the plan in its current form allows for little mitigation or alternatives should delivery not come forward in the neighbourhood plan areas.

In order for the plan to be considered positively prepared and justified it is recommended that additional wording is added to policy H3 to state that individual applications can come forward on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

Southbourne

As set out, the Local Plan proposes a 'Broad Location for Development' at Southbourne for the delivery of 1,050 dwellings. This approach follows the withdrawal of the previously draft version of Neighbourhood Plan after it was found not to comply with basis conditions following examination in early 2022. Southbourne Parish Council is now pursuing a revised Neighbourhood Plan which has been submitted to CDC for a regulation 16 consultation. Obsidian previously responded to the regulation 14 consultation in late 2022 and these are appended to these representations.

The revised Southbourne Neighbourhood Plan does not seek to allocate any new housing allocations and instead takes a protectionist stance against any new development as an interim position whilst the Local Plan is prepared. However, once the Neighbourhood Plan is made, it would form part of the development plan for CDC. It is highly likely that a made Neighbourhood Plan in the form currently proposed by Southbourne would make the allocation of additional housing in the parish less likely rather than more likely.

The Sustainability Appraisal (SA) as prepared for the regulation 19 of the Local Plan sets out the proposed approach to Southbourne as follows:

3.1. With the decision of Southbourne Parish Council to no longer proceed with the inclusion of a strategic allocation in their neighbourhood plan, the Council considered three options for taking forward development in Southbourne, namely:

- Option 1 - redistribute the housing number elsewhere
- Option 2 - allocate a strategic site
- Option 3 - identify a Broad Location for Development

The SA goes on to set out the reason for option 1, for redistributing the housing number elsewhere, being discounted as follows:

3.2. As set out in the Housing Background Paper, the preferred spatial strategy is to focus the majority of growth at Chichester and the east west corridor, with a focus on the Settlement Hubs within the corridor. To redistribute the housing number to other parts of the plan area would not be consistent with the preferred spatial strategy nor reflective of the role of Southbourne as one of the more sustainable locations in the plan area capable of delivering strategic scale development. The ability to redistribute the number to other locations within the east/west corridor is also severely limited due to infrastructure constraints (impact on A27 junctions) or environmental restrictions (wastewater treatment capacity). For these reasons, Option 1 was discounted.

Whilst it is accepted that the redistribution of the entire requirement of 1,050 homes would be problematic, it is considered that CDC should have tested the allocation of other alternative sites such as that at Main Road, Hermitage and other suitable alternative sites.

The SA goes on to set out consideration of option 2 as follows:

3.3. In order to allocate a site in a Local Plan, it needs to have gone through a rigorous process to ensure that the Council can demonstrate that the allocated site is suitable, given reasonable alternatives, and is based on proportionate evidence. Given there is more than one site or combination of sites that could come forward as an allocation in Southbourne, a clear process setting out for why one site was chosen over another would be needed, informed by site specific technical information.

This is correct and it is therefore not accepted that an approach to allocate a broad area for development would be robust, deliverable or effective. The SA goes on to state:

3.5. The allocation of a strategic site at Southbourne would also be a significant change in approach at a late stage of the Local Plan preparation process. The additional technical evidence that would need to be undertaken to justify a Local Plan allocation at this stage would impact significantly in terms of delay to the finalisation of the Regulation 19 Local Plan and its subsequent submission to the Secretary of State for examination. For these reasons Option 2 was discounted.

This provides further weight to the position set out within these representations that the expectation of delivery from the 'broad area' at Southbourne is overly ambitious and it is clear there is significant technical work to undertake on the delivery of homes from the allocation as part of the future plan making process.

The SA goes on to set out the justification of option 3 as follows:

3.6. The identification of a BLD is consistent with the National Planning Policy Framework (NPPF). Paragraph 68 states that for years 6 -10 of the plan, local authorities should through their planning policies identify a supply of 'specific, developable sites or broad locations for growth'.

3.7. There is no definition of 'broad locations' in national policy. It is generally taken to be an area within which housebuilding could reasonably be expected to take place based on the availability of land having regard to the Housing and Economic Land Availability Assessment (HELAA). A BLD does not have a specific geographic location or physical boundary. Areas are identified as broad locations because at that stage it is not yet possible to identify the precise boundaries of a site until further detailed site work has been done. By identifying a broad location gives flexibility and may increase the prospect of appropriate and effective growth i.e. where there is some doubt as to the most effective site boundary could prevent growth coming forward or prevent the most sustainable solution. However, a broad location might be expected to accommodate a significant amount of development; in some cases a single site may be of a sufficient size to accommodate all of the potential development or a number of sites that abut other sites may be considered together.

This is not considered a rational approach to take. Whilst there is no definition of 'broad location' within national policy it is considered that the words 'specific' and 'developable' must be taken at their basic meaning and indeed as set out in the glossary of the framework. It is not considered that the allocation of such a large area for a 'broad location' would be specific, effective or justified against the tests of soundness in the NPPF.

The allocation of Southbourne under policy A13 would represent over 10% of the total housing delivery in the plan. This is considered too significant to



leave to a broad location for development.

As set out, Southbourne Parish Council is already at advanced stages of a revised Neighbourhood Plan which does not include the allocation of any of the development parcel envisaged under policy A13. In terms of delivery through the Site Allocations DPD, the timetable for this is set out within the most recent Local Development Scheme (January 2023) which sets out the following:

**\*\*Table\*\***

As set out, the housing trajectory assumes delivery of dwellings from the allocation at Southbourne in 2028/29. Given that the Site Allocation DPD would not be delivered until Winter 26/27 at the earliest, and the delivery through the Neighbourhood Plan has been discounted by the progression of a NP without the allocation, then the deliverability of any development at Southbourne remains wholly unjustified within the plan period.

The SA goes on to set out the approach to alternative sites in Southbourne Parish as follows:

4.3. The 2021 HELAA assessed 41 sites in Southbourne Parish (see Appendix 1). Of these, 18 sites were discounted because the site either had planning permission/were under construction (five sites); it was within the Chichester Harbour Area of Outstanding Natural Beauty (AONB) (eight sites); there was insurmountable access issues (two sites); it was in Flood Zone 3 (one site); or there was a legal restriction on the site use (in this case a Section 106 Agreement restricting use to open space) (two sites). These sites were not considered further for inclusion within the BLD.

The land at Main Road was one of the sites discounted due to being located in the AONB. For the reasons set out within subsequent sections of these representation, it is not considered that it was necessary to discount sites within the AONB as other councils have taken the decision to use such sites to meet housing need and not considered the AONB as an absolute constraint.

Specialist Accommodation for Older People

Para 5.41 of the regulation 19 of the Plan sets out the following:

The Housing and Economic Development Needs Assessment (HEDNA) 2022 estimates the greatest population increase in the district by 2039 to be those in age groups 75 and over. To support an ageing population there should be provision of suitable housing options for the differing needs of individuals, including:

- Sufficient adaptable and/or accessible market housing stock so that those wishing to remain in their own homes can do so as their needs change.
- Smaller homes, for those wishing to downsize, and bungalows.
- Extra care housing, for those able to live relatively independently but requiring on-site support.
- Care homes, for those needing additional support.

Table 8.1 of the HEDNA sets out the current population breakdown for separate groups over 65 and demonstrates that CDC has a significantly higher percentage in all age groups over 65 than the average in West Sussex, the South East or England:

**\*\*Table\*\***

Policy 8.12 of the HEDNA goes on to set out the need for different groups as follows:

**\*\*Table\*\***

The HEDNA sets out the following commentary in this regard:

8.41 It can be seen by 2039 there is an estimated need for between 2,131 and 2,872 additional dwellings with support or care across the whole study area. In addition, there is a need for 429-800 additional nursing and residential care bedspaces.

8.42 Typically for bedspaces it is conventional to convert to dwellings using a standard multiplier (1.80 bedspaces per dwelling for older persons accommodation) and this would therefore equate to around 238-445 dwellings.

8.43 In total, the older persons analysis points towards a need for around 2,369-3,317 units over the 2021-39 period (132-184 per annum) – the older person need equates to some 17-24% of all homes needing to be some form of specialist accommodation for older people.

Given the significant need for Specialist Housing Accommodation across the district it is vital that this is planned for adequately within the emerging Local Plan. The Planning Practice Guidance sets out why it is important to plan for housing needs of older people as follows:

The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.

Paragraph: 001 Reference ID: 63-001-20190626 Revision date: 26 June 2019

The PPG goes on to state how housing requirements of such groups should be addressed in plans:

Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people.

These policies can set out how the planmaking authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.

Paragraph: 006 Reference ID: 63-006-20190626 Revision date: 26 June 2019

Policy H8 states:

All housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people to include a support or care component. The specific type and amount of accommodation required will depend on the size and location of the site.

Proposals for specialist housing, such as homes for older people, student, HMOs or essential worker accommodation, and other groups requiring specifically designed accommodation will be supported where the following criteria are met:

- 1) There is an identified need;
- 2) It will not lead to a concentration of similar uses in an area that would be detrimental to the character or function of an area and / or residential amenity;
- 3) It is in close proximity to everyday services, connecting by safe and suitable walking / cycling routes or public transport for the intended occupier;
- 4) It can be demonstrated that the development is designed to provide the most appropriate types of support for the target resident;
- 5) It can be demonstrated that revenue funding can be secured to maintain the longterm viability of the scheme (if relevant to the type of accommodation proposed); and
- 6) The scheme is supported by the relevant agencies (if relevant to the accommodation type to be provided).

Proposals which may result in the loss of specialist needs accommodation will not be permitted unless it can be demonstrated that there is no longer a need for such accommodation in the plan area, or alternative provision is being made available locally through replacement or new facilities.

Whilst this approach goes some way to addressing the care needs it is felt that the policy lacks effectiveness and should take a far more constructive and positive approach to the provision of housing for older people.

The wide range of different housing typologies is set out within the Planning Practice Guidance as follows:

- Age-restricted general market housing: This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.
- Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This

can include 24 hour on-site assistance (alarm) and a warden or house manager.

- Extra care housing or housing-with-care: This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.
- Residential care homes and nursing homes: These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes.

[Paragraph: 010 Reference ID: 63-010-20190626].

It is considered that a residential care home (including housing for dementia needs) could be developed on the Land South of Main Road without causing harm to the AONB and this would provide for a clear need within the village whilst also providing employment to local workers.

Development in AONB

The NPPF sets out the following in relation to development in the AONB at paragraph 172 as follows:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development<sup>55</sup> other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

Footnote 55 of paragraph 172 is relevant for the consideration of what is considered as major development and states:

For the purposes of paragraphs 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

No evidence is set out within the Local Plan or supporting evidence base to state what is considered to be a major development site in the district.

Neither the Chichester Harbour AONB: State of the AONB Report (May 2018) or the Chichester Harbour AONB Landscape Character Assessment (April 2019) contain any references to what is considered to constitute a major development.

This is a matter which has been considered at length within other Local Plan examinations. As part of the evidence for its Local Plan, the South Downs National Park sought successive legal opinions from James Maurici QC on what should be considered as 'Major Development' in the AONB and have subsequently become widely known as the 'Maurici Opinions' in other Local Plan examinations. The opinions set out the following conclusions:

- It is a matter of planning judgement to be decided by the decision maker.
- Major development is to be given its ordinary meaning, and it would be wrong to apply the definition of major development contained within the Town and Country Planning (Development Management Procedure) (England) Order 2015. It would also be wrong to apply any set or rigid criteria for defining major development, and the definition should not be restricted to development proposals that raise issues of national significance.
- The decision maker may consider whether the proposed development has the potential to cause a significant adverse impact on the purposes for which the area has been designated or defined, rather than whether there will indeed be a significant adverse impact from the proposed development.
- The decision maker may consider the proposed development in its local context as a matter of planning judgement.
- There may be other considerations but which may not determine whether a proposed development is major development. For example, if the proposed development is Environmental Impact Assessment (EIA) development.
- The ordinary sense of the word 'major' is important and the decision maker should take a common sense view as to whether the proposed development could be considered major development.

In the Mid Sussex District Council Site Allocations DPD Evidence Base there is a topic paper setting out consideration of Major Development in the AONB and concludes that several of the allocations, in some cases up to 70 dwellings, would not be classed as major development in the AONB following a detailed review of each of the factors as set out in footnote 55 of the NPPF against each proposed allocation.

It is considered that this approach should have been undertaken for each of the individual sites discounted in the Local Plan (including Main Road, Hermitage), rather than simply discounting on the sole fact that they were in the AONB.

Sustainability Appraisal

The legal frameworks for SAs are set out within section 19 of the Planning and Compulsory Purchase Act 2004 which states that the authority must prepare a plan with the objective of contributing to the achievement of sustainable development. Moreover, the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 states that SAs must ensure that the potential environmental effects are given full consideration alongside social and economic issues.

It is not considered that the council has given full consideration to all effects nor are the conclusions of the SA in respect of those impacts robust and logical.

Paragraph 32 of the framework goes on to state that the SA should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

The SA sets out whether it was reasonable to explore higher growth scenarios as follows:

5.2.12 As discussed above, the PPG on Housing and Economic Needs Assessment sets out reasons for providing for 'above LHN' through local plans, referring to situations where there are "growth strategies for the area... (e.g. Housing Deals); strategic infrastructure improvements that are likely to drive an increase in [need]; or an authority agreeing to take on unmet need from neighbouring authorities..." Also, affordable housing needs can serve as a reason for considering setting the housing requirement at a figure above LHN, with the PPG stating: "An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes."

5.2.13 However, in the Chichester context there is little or no argument for exploring scenarios whereby the housing requirement is set at a figure above LHN, given the issues discussed above at paragraph 5.2.11. Unmet housing needs are a widespread issue across the sub-region, but there is no realistic potential to provide for unmet housing needs within Chichester. At the time of the Preferred Approach consultation (2018/19), the proposal was to provide for both locally arising housing needs in full and a proportion of the unmet needs arising from the SDNP (41 dpa). Also, it is noted that the SA report published as part of the consultation considered scenarios – considered to be 'reasonable' at that point in time – that would see the housing requirement set at figures significantly above LHN (800 dpa and 1,000 dpa were tested). However, at the current time, in light of the latest available evidence, scenarios involving setting the housing requirement at a figure above LHN can be safely ruled out as unreasonable.

It is not considered that a figure at or above the LHN would be considered unreasonable and that this matter has not been given full consideration (as per the requirements of the SA regulations), particularly in regard to the social impacts of not meeting housing need in full.

Appendix V of the SA sets out commentary in regard to Parish Scenarios. This sets out the following in relation to Southbourne (with emphasis added):

With regards to the extent of the broad location, this matter is considered fairly uncontroversial (for the current purposes of arriving at reasonable growth scenarios). Specifically, the proposal is to identify an area of search that includes developable HELAA sites that relate relatively well to the Southbourne settlement edge and avoid the Strategic Wildlife Corridor associated with the Ham Brook, also naturally mindful of the need to maintain a landscape gap to settlements within Chidham and Hambrook Parish, to the east. It is important to note that the total theoretical capacity of developable HELAA sites within this broad area is far in excess of the number of homes that would need delivered under any reasonably foreseeable scenario.

The broad location provides flexibility to identify a detailed allocation either through a Site Allocations Plan or, should the Parish Council wish to do so, a revised Southbourne Parish Neighbourhood Plan. Site selection considerations will likely include: transport and access (including mindful of links to the train station and by car to Portsmouth); accessibility and community infrastructure (mindful of the secondary school, recreation ground and employment area at the western edge of the village); heritage (e.g. there is a historic rural lane to the east, associated with two listed buildings), topography and landscape (including any visual links to the SDNP and/or the AONB) and the potential to secure a strategic scheme that delivers more than just new market homes, and potentially significant 'planning gain' for the local community.

With regards to the number of homes that should be supported, there is logic to further exploring the scale of growth that was previously considered through the now withdrawn Southbourne NP, and it is not clear that there is an argument for considering lower growth. Additionally, there is a clear argument for exploring the possibility of higher growth, to ensure a suitably comprehensive scheme, with a high level of 'planning gain'.

In conclusion, there are two scenarios for Southbourne Parish, namely completions, commitments and windfall plus either: 1) a broad location for 1,050 homes; or  
2) a broad location for ~1,500 homes.

As set out, it is not considered that the SA has considered adequate reasonable alternatives to growth at Southbourne which would include allocation of sites elsewhere in the village including within the AONB that can deliver in the early part of the plan period.

#### Conclusions

There are significant concerns on the soundness of the plan in terms of whether it is effective, justified, positively prepared or consistent with national policy in accordance with paragraph 35 of the NPPF.

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

The Council has not adequately considered reasonable alternatives through the Sustainability Appraisal as published alongside the plan which should have included consideration to the allocation of the site in order to deliver housing in the early part of the plan period.

The plan fails to adequately consider the need for housing for older people, given that the population over 65 across CDC is significantly in excess of the average in the county, south east and county as a whole.

CDC discounted all sites within the AONB, including the site at Main Road, Hermitage, at an early stage of the plan making process. This is not considered effective or consistent with national policy which does not class such sites as an absolute constraint. Other local authorities have allocated such sites in order to deliver the full objectively assessed needs.

ABC will continue to make further representations on the deliverability of the site as part of the plan making progress.

#### Change suggested by respondent:

In order for the plan to be considered positively prepared and justified it is recommended that additional wording is added to policy H3 to state that individual applications can come forward on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC Regulation 19 - Andrew Black Consulting - obo Obsidian - redacted - <https://chichester.oc2.uk/a/trf>

## Support

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** The Brooks Family [8117]

**Agent:** Henry Adams LLP (Mrs Dawn Appleton, Senior Planner) [8118]

#### Summary:

On the basis of the 535 dpa figure, it is considered that the selected areas for growth and housing figures are deliverable over the Plan period, however, the plan area could accommodate a greater level of growth. Our clients support the approach to Boxgrove and the allocation of a minimum of 50 houses with a suitable site to be identified through the Neighbourhood Plan or Site Allocations DPD. Our clients' land is the most suitable land to provide a sustainable addition to the village given the landscape and heritage constraints to the north. The provision of all the housing on one site will provide 15 affordable homes for the village which is a significant benefit.

#### Full text:

See attached representation.

#### Change suggested by respondent:

Site proposed in relation to Boxgrove Allocation.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Written representation - <https://chichester.oc2.uk/a/sfw>

**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Levanter Developments Limited (Oliver Tomalin) [8120]**Summary:**

The allocation for 75 dwellings to Wisborough Green is supported as the village is one of the most sustainable locations of all of the parishes/service villages

The overall strategy is highly dependent on the delivery of housing from Neighbourhood Plan areas. It is considered that this approach allows for little mitigation or alternatives should delivery not come forward.

**Full text:**

I write in response to the regulation 19 consultation version of the Chichester Local Plan 2021-2039 in our capacity as promoters of Ansell's Yard, Kirdford Road, Wisborough Green.

**Conclusions**

There are several concerns on the soundness of the plan in terms of whether it is effective, justified, positively prepared or consistent with national policy in accordance with paragraph 35 of the NPPF.

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

Levanter will continue to make further representations on the deliverability of the site as part of the plan making progress.

**Change suggested by respondent:**

In order for the plan to be considered 'positively prepared' and 'justified' it is recommended that additional wording is added to policy H3 to state that individual planning applications can come forward on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

Priority consideration should be given to the proposed sites HWG0004, HWG0019 (Ansell's Yard) and HWG0022, proposed for allocation in a draft Neighbourhood Plan Review.

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Ansell's yard - local Plan Reps - <https://chichester.oc2.uk/a/sfn>**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Boxgrove Parish Council (Ms Imogen Whitaker, Clerk and RFO) [7880]**Summary:**

Objection to Boxgrove's allocation of 50 dwellings on grounds that over 50% of land in parish lies within SDNP; HELAA sites within countryside; lack of capacity at local school and A27; views would be compromised by development; heritage assets affected; use of agricultural land.

**Full text:**

Boxgrove Parish Council wish to contest the allocation of 50 dwellings during the Local Plan duration.

The Local Plan consultation period has not allowed sufficient time for proper local consultation and includes proposals that have never previously been consulted upon.

We do not understand how so many of the sites, previously discounted in the 2018 HELAA, for various reasons, are now designated in the 2021 HELAA as having 'no known constraints' to development on the same sites.

Furthermore, out of 11 Service Village Parishes, found to have potential sites for dwellings in 2018, 7 of these now have a zero allocation in the Local Plan. Boxgrove has been allocated 50 dwellings, despite over 50% of Boxgrove's land area lying within the boundary of the SDNP.

All of the sites identified are outside of the existing Settlement Boundary, and are therefore in 'The Countryside', in contravention of your Policy NE10.

The village school is at capacity and there are no known plans to expand it.

There are future capacity issues at the A27 Tangmere roundabout junction and concerns about future short cutting through Boxgrove and the already narrow and winding local roads to the north.

The Conservation Area Character Appraisals identify many long views out of the CA's, which would be compromised by development.

Boxgrove and the village of Halnaker both have Conservation Areas and there are a total of 51 listed buildings and two Scheduled Monuments in the Parish many of which would be affected by development on the sites identified.

Development would be in contravention of your Policies P9, P10 and P11 of the Local Plan.

All the sites, identified as potentially developable, are on agricultural land. These are either currently farmed, are vineyards or are livery. This land is graded 2 or 3 in contravention of Policy NE2 Natural Landscape.

In conclusion, we believe that the HELAA and the allocation of 50 dwellings for Boxgrove in the Local Plan are unachievable on most of the sites identified. We are sure that a small number of sites for a lower number of dwellings may be achievable, and intend to consider this as part of the revisions to our Neighbourhood Plan.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

It is noted that a substantial number of new homes are proposed on the A259 corridor between Emsworth and Chichester. This is a sensitive stretch of land in the coastal plain between the coast, the south coast railway and the A27. This corridor provides the connection, including intervisibility, between the protected landscapes of the South Downs National Park and Chichester Harbour AONB, for example views of the channels within the Harbour from the Trundle and Stoke Clump. The amendments to policy set out earlier in this consultation response will help to ensure that development coming forward in this sensitive area positively addresses the South Downs National Park and its setting.

It is noted that several settlements around the South Downs National Park have been given a figure to be identified through either Neighbourhood Development Plans or through a potential future Site Allocations DPD. We particularly note Southbourne (1,050 homes), Wisborough Green (75 homes), (Kirdford (50 homes) and Boxgrove (50 homes). We raise concern about these figures and the challenge neighbourhood planning groups may have as many potential sites in these areas are likely to be in the setting of the South Downs National Park. It will be important that attempts to meet these target figures address the requirements of NPPF paragraph 176 on setting.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Support

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of draft Policy H3. Given that this draft Policy wouldn't impact upon the deliverability of the Police Fields site, no further comments are proffered.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Gleeson Strategic Land (Mr Peter Rawlinson, Strategic Planner) [855]

**Summary:**

Site promoted. Land West of Clay Lane, Fishbourne.

**Full text:**

2.11 Chapter 3 of the draft Local Plan defines how housing and other needs will be met spatially across the District, in accordance with a defined settlement hierarchy.

2.12 Paragraphs 3.5 through 3.28 of the Draft Local Plan summarise the rationale for the proposed distribution of growth, including noting:

- That growth is required in both urban and rural areas to meeting needs;
- The focus remains on Chichester city as a main sub-regional centre and the most sustainable location;
- Outside of Chichester, development will be focused on 'settlement hubs' within the east-west corridor at Tangmere and Southbourne;
- Outside of these locations land for new development will be identified and allocated through the Local Plan or a neighbourhood plan at Service Villages where there are suitable locations to do so; and
- The Local Plan aims to continue to protect the countryside.

2.13 Draft Policy S1 (Spatial Development Strategy) broadly reflects the above, and states that "new residential and employment development is [to be] distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements". The corresponding table identifies a range of 'Strategic Development Locations' which are considered to be the 'more sustainable settlements' including the service villages of Bosham, Hambrook / Nutbourne (combined) and Loxwood.

2.14 Draft Policy S2 (Settlement Hierarchy) expands this list to include a wider range of settlements where development will be delivered through site allocations as well as windfall development in accordance with other policies in the draft Plan.

2.15 Whilst we have no objection to the principle of distributing the majority of growth to the most sustainable location, subject to consideration of constraints, it is our view the Council has not sufficiently justified the rationale behind its settlement hierarchy.

2.16 This is because a key settlement, Fishbourne, has been overlooked in the settlement hierarchies set out in draft Policies S1 and S2 without good reason. Fishbourne, has not been identified as a more sustainable settlement and 'Strategic Development Location' in the table at draft Policy S1, and has instead only been identified in draft Policy S2 as a 'Service Village', and a location for the non-strategic provision of only 30 homes. This is despite Fishbourne being a highly sustainable location with suitable and deliverable locations for growth (including Gleeson's site as detailed in Section 3).

2.17 No evidence is provided which considers the sustainability of Service Centres that provides justification for Hambrook / Nutbourne, Loxwood and Bosham being elevated over Fishbourne.

2.18 From our own review, it is clear there is no rationale for this, as shown below:

Current population Sustainable transport options Existing services / facilities Draft Local Plan proposals

Fishbourne 2,666 Train Station and bus services Primary School

Medical Practice

Public Houses

Community Hall

Supermarket (Tesco Extra)

Roman Palace (inc. coffee shop) 30 homes

Hambrook / Nutbourne Hambrook: 1,908

Nutbourne: 1,962

Combined total: 3,870 Train Station (Nutbourne) and bus services Post office

Public House 300 homes

Loxwood 1,026 Bus services Primary School

Medical Practice

Post Office

Community Hall 220 homes

Bosham 1,578 Train Station and bus services Primary School

Medical Practice

Post office

Co-op shop

Churches

Public Houses 245 homes

2.19 We consider that Fishbourne should instead be recognised as a 'more sustainable' location where additional strategic-scale growth can and should occur. It has a commensurate number of services and facilities compared to other Service Villages. The proximity to Chichester compared to the other Service Centres and the multitude of employment opportunities and facilities there is also a unique strength of Fishbourne. It also benefits from a nearby Tesco Extra.

2.20 This would be consistent with the Regulation 18 Preferred Approach (December 2018) consultation which identified (through the previous version of draft Policy S1 – at that stage identified as Policy S3 Development Strategy) Fishbourne as a "larger and more sustainable settlement", alongside Bosham, Hambrook / Nutbourne and Hunston, with an allocation of a "minimum of 250 dwellings". Loxwood was not recognised as a more sustainable settlement at that time, albeit was still identified to accommodate 125 homes.

2.21 No information has been provided to justify this change in approach between the Regulation 18 and Regulation 19 consultation. We therefore consider the current approach to the Spatial Strategy is not justified and consider draft Policy S1 not "sound".

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/syd>

Appendix A - Wildlife Corridor Technical Note - <https://chichester.oc2.uk/a/syw>

Appendix B - Illustrative Masterplan - <https://chichester.oc2.uk/a/syf>

Appendix C - LVIA - <https://chichester.oc2.uk/a/syg>

Appendix D - Transport Assessment - <https://chichester.oc2.uk/a/syh>

Appendix E - Flood Risk Assessment - <https://chichester.oc2.uk/a/syx>

Appendix F - Nutrient Neutrality Assessment - <https://chichester.oc2.uk/a/syj>

Appendix G - Ecological Appraisal - <https://chichester.oc2.uk/a/syk>

Appendix H - Arboricultural Impact Assessment - <https://chichester.oc2.uk/a/syz>  
 Appendix I - Archaeological Desk Based Assessment - <https://chichester.oc2.uk/a/sym>  
 Appendix J - Phase 1 Geo-Environmental Desk Study - <https://chichester.oc2.uk/a/syn>  
 Appendix K - Phase 2 Geo-Environmental Site Investigation - <https://chichester.oc2.uk/a/syy>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Reside Developments Ltd [8133]

**Agent:** Henry Adams LLP (Zac Denton) [8131]

### Summary:

On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out in other representations, the plan area could accommodate a greater level of growth.

The Plan relies on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. The wording is not precise and does not provide any clear timetable for delivery within the Plan period.

Whilst the strategy in the comments above could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

### Full text:

#### 1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Reside Developments Ltd. The submission covers the general principles of the Local Plan, but has a focus on Land at Herons Farm, Kirdford, which is in our clients control. The land is shown on the attached location plan included at Appendix 1 and hereon referred to as the site.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

#### 2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Council's Local Plan, or as currently proposed, through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy.

These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- i. Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- ii. The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that is not agreeable as we believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesignated and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given the scale of development expected for adjoining authorities, including the highly constrained SDNP area.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does

not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the Plan relies on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

'If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.'

2.15 The above is not precise and does provide any clear timetable for delivery within the Plan period.

Whilst the strategy in the comments above could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent. However, due to the lack of evidence to demonstrate this, the 535 dpa figure should be capped. Given the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Approach to development in Kirdford

#### Overview

3.1 The Draft Local Plan defined Kirdford as a service village, which benefits from some local facilities and services including a village hall, a local shop and two pubs. The village has been allocated 50 units within the draft local plan and is therefore suitable for a quantum of growth. The Sustainability Appraisal (SA) identifies Kirdford as a village with some facilities, albeit that due to the absence of a school, these are limited. The SA notes that the delivery of community infrastructure would be required to accommodate any quantum of housing, our client's land provides ample opportunities to provide this infrastructure alongside housing. The HELAA identifies a number of sites which could come forward through the Neighbourhood Plan process.

#### Sustainability Appraisal

3.2 Section 5.4 of the SA states that it is important to consider each of the settlements within the plan area, and explore reasonable growth scenarios. 5.4.2 continues this, stating that there is a clear need to explore a wide range of growth quantum scenarios in the northeast plan area.

3.3 The Sustainability Appraisal addresses the constraints of this area in terms of its rural locality, unsustainable travel patterns and achieving water neutrality. 5.4.7 sets out that there are three reasonable growth scenarios for each of the four Parishes in the Northeast plan area, if the option of a new settlement at Crouchlands Farm is ruled out as unreasonable. 5.4.8 states there is a strong argument to suggest that this option is unreasonable, nevertheless, it has been deemed appropriate to take the option forward to consideration. Within the SA, the Council justifies their approach which comprises a blend between Scenario 1 and Scenario 2 as described below:

☒ Scenario 1 – Lower growth scenario across all parishes – This would relate to an allocation of 50 units to Kirdford.

☒ Scenario 2 – Higher growth scenario across all parishes – This would relate to an allocation of 150 units to Kirdford.

3.4 The SA sets out that it is fair to rule-out the lowest growth scenario for Kirdford (growth at committed sites only). The SA also sets out there is an argument for ruling out the highest growth scenario (300 homes) as unreasonable, as Kirdford is poorly connected and does not benefit from a primary school. The SA sets out three growth scenarios following the above. These scenarios relate to 50 homes, 150 homes, and 300 homes.

3.5 A blended approach for Parishes within the Northeast plan area has been supported within the SA, attributing the Scenario 1 model (lower growth) to Kirdford.

3.6 The reasoning given by the Council for attributing the lower growth figure to Kirdford relates to the unsuitability of the northeast plan area as a whole, including unsustainable travel patterns, risks to achieving water neutrality and settlement specific concerns relating to the potential impacts of growth of Kirdford.

3.7 Whilst these concerns raised within the SA and those regarding the existing infrastructure of the village are noted, we believe that the need to support the growth of existing villages, and the ability of development to create and enhance infrastructure should be afforded weight when considering the housing numbers attributed to the village.

3.8 The SA raises concerns surrounding the HELAA options towards the North of the village. This is mainly due to the connectivity to the village and road network, and environmental concerns. These concerns will be addressed later in this representation.

3.9 It should be noted more broadly that higher growth scenarios can provide more significant community infrastructure enhancements to the area.

### 4 Suitability of Site

#### Site Description

4.1 Our client's land is located to the North of the main settlement of Kirdford, which is situated in the northeast of the District. The plan submitted alongside this statement includes land edged in red, to be considered for housing/community uses, and land in blue for biodiversity enhancements. For ease of reference, the red area has been split into Area A, Area B and Area C, which correspond to the split of the site in the HELAA. The site is connected to Kirdford by Footpath 610 and 606. As mentioned previously, the site was previously submitted to the Council's call for sites and is included in the most recent HELAA.



4.2 The Southernmost part of our client's land is annotated as Area A on the drawing included at Appendix 1 (HELAA reference HKD0007). The site was considered to be potentially suitable, subject to detailed consideration of access, and heritage impact. We believe that through well considered design, there is clear potential for development on this parcel as the site is well connected to the P.R.O.W and local transport network. Footpath 606 runs along the Northern boundary of the site, and Footpath 610 runs along the Western boundary of the site which provide access to the main settlement of the Kirdford. The access track to Heron's Farm is adjacent to the Eastern boundary of the site. Whilst the concerns relating to connectivity are noted, we believe there is strong evidence to suggest the site is well connected to the settlement, and there are achievable technical solutions to access.

4.3 The central parcel of our client's ownership is annotated as Area B on the drawing included at Appendix 1 (HELAA reference HKD0009). The site has been considered potentially suitable subject to consideration of access and landscape matters. The site is immediately adjacent to the established residential development at Bramley Close, and an allocated site with planning permission (HELAA reference HKD0002). We are of the view that there are technical solutions to access at the site, which can be explored as part of our 'next steps'. Footpath 610 provides pedestrian links to the main settlement. Further to this, we are of the view that development of this site to the North of the settlement appears as a natural continuation of Kirdford. This is due to the presence of the adjacent site to the West, the sports pitches to the North, and the shaping of the existing woodland. Initial landscaping works have been completed, and it has been concluded that appropriate landscape-led masterplanning, and green infrastructure plans can be provided as part of any prospective development, which would allow the landscape characteristics of the site and its locality to be retained and enhanced. The site provides an opportunity to introduce a new landscape framework within the parcels and enables any proposed development to sit within a treed landscape. Further works for the site would look to come forward following liaison with the Parish Council, which could include further landscaping evidence.

4.4 The Northernmost parcel is annotated as Area C on the drawing included at Appendix 1 (HELAA reference HKD0011). The site was deemed to be potentially suitable for residential development subject to considerations of access. As set out previously within this statement, the site has potential vehicular and pedestrian links to the settlement, and the wider transport network. We feel there are multiple technical solutions to achieving access to the site.

4.5 Whilst noted that in order to ease the consideration of the site, it is necessary to divide the site into sections, we are of the view that our clients land should be looked at more strategically. The SA sets out that the delivery of community infrastructure would be required to accommodate any quantum of housing and we would look to provide this within our clients ownership. The provision of this infrastructure will be subject to consultation with the Parish Council and local occupiers to understand what community infrastructure would be sought for the area. Further, the parcels provide an opportunity to introduce a new landscape framework and enables any development to sit within a treed landscape. The land within our client's control is considered to have potential to accommodate a quantum of up to 200 dwellings, including provision for selfbuild units.

4.6 The area outlined in blue is put forward as land for biodiversity enhancement, which could be delivered as part of any application.

#### Sustainability

4.7 The site is suitably located to deliver a host of benefits to the local area and help achieve objectives of the northeast of the District, without harm to the key attractions for visitors, the setting of the National Park, or the rural character of the locality.

#### Water Neutrality

4.8 One of the constraints of the north-east of the District is the requirement is for all new development to meet water neutrality, to ensure that any new it does not impact further on the habitat site comprising the Arun Valley Special Area of Conservation (SAC) or the Arun Valley Special Protection Area (SPA) & Ramsar site, in terms of groundwater abstraction within the Sussex North Water Supply Zone. It is anticipated that further advice and a mitigation strategy will be created by the Council and its partners to demonstrate how developments can achieve water neutrality. However, at present applicants are required to provide a water neutrality strategy to demonstrate how the development can achieve water neutrality.

4.9 To provide the Council with reassurance that the site is deliverable despite this constraint, it should be noted that our client has worked on other sites with this constraint, and has developed approved strategies in this instance to mitigate development.

#### 5 Conclusion

5.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, we consider that the Plan area is capable of accommodating a greater housing quantum. This will facilitate development and help villages in particular to flourish and meet the objectives of the Local Plan. The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the SDNP. The Council's position of growth is predicated on the basis of the A27 not having sufficient capacity to accommodate a higher growth of 535 dpa. Its own evidence base (Transport Study 2023) contradicts this position and therefore the Council should at least be meeting their local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.

5.2 Our clients land is well placed to assist in the delivery of a sustainable expansion of Kirdford, and deliver both much needed housing within the north-eastern plan area, but also provide highquality infrastructure within the area. The allocation of a greater quantum of housing to the village will support the vitality, and viability of services and facilities within the Northern villages.

5.3 At present, the Plan fails to be positively prepared and is inconsistent with the NPPF. On the basis that the Council don't reconsider their position, we wish to be present at the relevant Examination hearings to represent our clients' interests and further discuss the views set out in this submission. Our next steps will include liaison with the Parish Council in order to best understand what they would like to see from development proposals within the area.

#### Change suggested by respondent:

Higher housing number in Kirdford. Site promoted (Heron's Farm).  
Clear timescales for Neighbourhood Plans and Site Allocation DPD.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Reside Dev., Kirdford - Representation - March 2023 - Final.pdf - <https://chichester.oc2.uk/a/sjz>

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Deerhyde Limited [7657]

**Agent:** Vail Williams LLP (David Ramsay, Partner) [8134]

#### Summary:

Site submission. Land North of Golf Links Lane, Selsey.

#### Full text:

I am pleased to attach our representations in response to the Chichester Local Plan Regulation 19 consultation. These representations are submitted on behalf of our clients Deerhyde Ltd. owners of land in Selsey and located in the area for a significant number of years.

The submitted documents include the following:

- Representations statement
- Plans showing the potential road widening of Golf Links Lane and Paddock Lane, Selsey
- Development potential of sites for residential development at Golf Links Lane and Old Farm Road, Selsey taking account of flood zones 2 and 3 (2 plans 15-085 SK03 and SK04)
- Plans showing access options to Golf Links Lane site
- Plan showing tracking analysis for low-loaders
- Junction analysis
- Submission form

As detailed in the attached, after careful consideration we have concluded that the housing strategy for Chichester is flawed in principle as it fails to allocate sufficient sites in outside Chichester City (or adjacent to) to allow the remainder of the District to continue to provide houses for local people in areas where they are most needed.

In addition, our clients have put forward a suggestion for an infrastructure improvement to Selsey – namely the widening of Golf Links Lane and Paddocks Lane to accommodate delivery of caravans / other HGV / LGVs but also to provide a wider carriageway which could potentially incorporate a pavement / footpath cycleway to aid safer conveyance of pedestrians and vehicles in the area. Adding in a safer highway solution would also encourage car users to walk or cycle for local trips rather than risking congestion in the car. It would have the added benefit of diverting caravan park traffic travelling from the north into the caravan parks earlier and thus relieving congestion of Selsey High Street.

Introduction

1.1. Vail Williams LLP has been instructed by Deerhyde Ltd to submit representations to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) document.

1.2. As per the Website, these comments seek to address the three questions namely:

1. Is it legally compliant?
2. Is it sound?
3. Does it comply with the duty to cooperate?

1.3. These representations are largely focussed on the provision of housing and ensuring that a satisfactory access (both vehicular and pedestrian) can be maintained and enhanced, particularly in Selsey.

1.4. These representations reflect the fact that our client, Deerhyde Ltd, owns a significant amount of land in the Selsey area, an interest which was acquired in 1986 but with family ownership going back many years before then.

1.5. Our clients have identified a potential opportunity to facilitate highway improvements within Selsey which would be to the benefit of both residents and tourists using the holiday parks and other attractions alike. This would particularly be of benefit given the Council's acknowledgement that the B2145 through Selsey is the busiest B road in the country. These representations bring into question the 'tests of soundness'. In particular regarding the questions as to whether it is 'sound' on the basis of whether it has been 'positively prepared', whether it is 'justified' and 'effective' in respect of the areas of concern raised with respect to employment land provisions.

1.6. As set out at Paragraph 35 of the NPPF local plans are required to be 'sound'. Plans are considered sound when the following applies:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>1</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy<sup>2</sup>, taking into account the reasonable alternatives<sup>3</sup>, and based on proportionate evidence<sup>4</sup>;
- c) Effective – deliverable over the plan period<sup>5</sup>, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.<sup>6</sup>

1.7. These representations seek to highlight that Chapter 5 (Housing) has not been positively prepared, in so far as it does not provide [1.] "a strategy which, as a minimum, seeks to meet the area's objectively assessed needs".

1.8. It is also considered that Chapter 5 is not justified as the housing strategy is [2.] is inappropriate as it relies on a number of large strategic sites, with multiple issues some of which are in conflict with other parts of the local plan.

1.9. Chapter 5 is also not justified with respect to its provisions do not [3.] take into account reasonable alternative sites.

1.10. It is considered on the basis of the other factors highlighted in these representations and the proposed housing land provision is not 'consistent with national policy' as the proposed provision does not enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant. It is considered that the proposed plans are contrary to the NPPF paragraph 16a, 16b, 16c, 16d and paragraph 20a

#### 2 Local Plan Representations

2.1. Having reviewed the draft Local Plan we would make the following comments:

2.2. Paragraph 3.1 asserts the Government's encouragement for local planning authorities to ensure sustainable development is at the forefront when considering planning applications and that the National Planning Policy Framework (NPPF) defines sustainable development as "meeting the needs of the present without compromising the ability of future generations to meet their own needs". Paragraph 3.5 goes on to advise the range of factors as are informed the spatial strategy which underpins the local plan which, inter alia, "the pattern of need and demand for housing and employment across the area", "infrastructure capacity and constraints, in particular related to waste water treatment, roads and transport", "the availability of potential housing types, their deliverability and phasing" and this needs to take place whilst being mindful of the environmental constraints taking a sequential approach to avoiding flood risk areas, protect the environmental designations, landscape quality, the historic environment and settlement character.

2.3. The principles outlined above are supported as these are the key facets of good planning and plan making. However it falls to local authorities to ensure that the sustainable approach includes providing a sufficient supply of homes and facilitating a variety of sites to come forward where needed, and that the needs of groups within specific housing requirements are addressed and that land with permission is developed without unnecessary

delay. (Paragraph 65). Paragraph 66 states that within the overall requirement [for housing] strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.

2.4. Paragraph 67 goes on, where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take account of factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

2.5. Paragraph 68 asserts that strategic policy making authorities should have a clear understanding of the land available in their area through the preparation of a Strategic Housing Land Availability Assessment (SHLAA). From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and locally economic viability.

2.6. Further guidance states (Paragraph 69) that small and medium sized sites can make an important [my emphasis] contribution to meeting the housing requirements of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites the local planning authority should identify sites of small and medium size and support the development of windfall sites through their promises and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes.

2.7. Neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites suitable for housing in their area. Paragraph 71 goes on: where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the SHLAA, historic windfall delivery rate and expected future trends.

2.8. Whilst it is noted that the delivery of large scale sites can result in the delivery of large numbers of new homes, it is apparent that such developments take considerable time to work their way through the planning system to an approval and even then are only at outline stage. The delivery of new homes is therefore reliant on the Councils to efficiently determine reserved matters applications and, thereafter, discharge of conditions, to allow a swift implementation of planning applications and a timely start on site for the delivery of housing.

2.9. The inclusion of small and medium sites (ie. not reliant on strategic sites) within the housing mix are invaluable in delivering housing quicker and potentially in places, perhaps outside the main settlements, which would allow new housing to be accessible to all which is one of the key facets of the NPPF.

2.10. This approach would assist with maintaining delivery of housing where existing allocations are either stalled or progressing slowly through the planning system or have simply been delayed in coming forward for perhaps other commercial reasons.

2.11. The plan is largely predicated on strategic sites, as detailed at Policy H2 which would provide 7,195 houses. This is a significant reliance on the strategic sites to deliver 75% of the overall housing target and much of them are predicated on the works to the A27 being completed in order to make them acceptable.

2.12. It should be noted that the above housing provision is predicated on the ability to identify mitigation for the impacts on the European environmental designations (including nutrient neutrality), addressing highway implications and negotiating the planning system.

#### The Manhood Peninsula

2.13. The preferred approached version of the Local Plan does include moderate growth for the settlement hubs of Selsey (250 dwellings) and East Wittering (350) and the service village of Hunston (200). However, since then several planning permissions have contributed to the moderate levels of growth on the Manhood Peninsula which the Council says has accounted for these housing numbers. The plan does not therefore include any strategic allocations on the Manhood Peninsula in recognition of this recently permitted growth and the ongoing constraints the area faces, save for 50 dwellings to come forward at North Mundham.

2.14. This approach is not considered sound as a reason to prevent development of any scale on the Manhood Peninsula (particularly Selsey) for the plan period. As detailed above, it is essential that the plan allocates land across its settlement hierarchy in order to maintain a sustainable and deliverable approach to development and to assist the continuing evolution and economic viability of settlements which rely heavily on tourism and also on new development to maintain the supply of homes to provide options for all sectors of the local community to be able to live on the Peninsula should they so wish.

2.15. It is noted that at Policy S2 (settlement hierarchy), Selsey is listed as a "settlement hub" which is the second tier of settlement under Chichester city. Whilst this hierarchy, particularly in connection with Selsey is supported it is therefore surprising not to see more housing sites allocated within and around Selsey.

2.16. Given the potential number of environmental constraints on the Manhood Peninsula it is unlikely that sites of any excessive size would come forward and large numbers of dwellings would not necessarily result once the sites had taken account of their environmental constraints. That said, and as reflected above, sites of a size proportionate to their location but below "strategic" size can have an important part to play in the delivery of sufficient housing numbers in the right location at the right time in accordance with the NPPF.

#### Housing

2.17. Policy H1 (meeting housing needs) sets out the housing requirement for the full plan period of 1 April 2021 to 31 March 2039 as 10,350 dwellings. This allocates 963 dwellings to the Manhood Peninsula and a windfall (small site allowance) allocation of 657 dwellings for the whole district. There are no strategic locations/allocations on the Manhood Peninsula under Policy H2 which is considered unsound, particularly given the position that Selsey holds in the settlement hierarchy. Furthermore, under Policy H3 (non-strategic parish housing requirements 2021-2039) Selsey has been allocated zero housing. Again, this is considered unsound as it prevents sustainable development and access to new houses for all settlements across the district.

2.18. An overreliance on consented sites coming forward to provide future housing is considered unsound as, in this case, it effectively prevents any further development on the Peninsula and in Selsey in particular.

#### Transport

2.19. Policy T1 (transport infrastructure) is specifically aimed at ensuring that integrated transport measures will be developed to mitigate the impact of planned development on the highway network, improve highway safety and air quality, promote more sustainable travel patterns and encourage increased use of sustainable motor travel, such as public transport, cycling and walking.

2.20. The council will work with National Highways, WSCC, other transport and service providers and developers to provide a better integrated transport network and improve accessibility to key services and facilities. The policy lists seven ways in which the key objectives of reducing the need

to travel by car, enabling access to sustainable means of travel, including public transport, walking and cycling; managing travel demands; and mitigating the impacts of travelling by car can be achieved.

2.21. Whilst it is not intended to go through all of these in this document it is noted that all parties are expected to support the four objectives by working with relevant providers to improve accessibility to key services and facilities which would be relevant to Selsey (see below).

2.22. The policy is also aimed at planning to achieve a timely delivery of transport infrastructure on the A27 and elsewhere on the network which is needed to support new housing, employment and other development identified in this plan. The phasing of delivery of new development to align with provision of new transport infrastructure such as improvements to the A27 and elsewhere on the highway network, will be key to managing impacts on the highway. This is yet another impediment to the delivery of a strategic allocations and larger scale development which would, by their very nature, generate a higher highway impact on the transport network than carefully planned smaller developments which could satisfy a much more localised need and be cause less impact on the strategic road network. The tariff proposals outlined at paragraph 8.20 only covers part of West of Chichester and Tangmere SDLs and not the other strategic sites outlined at Policy H2.

2.23. Critically it is also understood that Highways England has pulled funding for the improvements to the Bognor Road roundabout as part of a package of A27 improvements. On this basis it is unclear how further funding would be secured at this time.

2.24. The lack of soundness to the approach of significant reliance on strategic sites, due to the current lack of capacity of the A27, is evident in the text that accompanies the policy which states that opportunities to secure funding to implement this package of improvements will be maximised by working proactively with Government agencies, other public sector organisations and private investors. Developer contributions from new development will also be sought. It is clear that smaller scale developments which would have a significantly lesser impact on the highway network could deliver housing quicker and with fewer constraints to implementation. It is for these reasons that smaller sites should be allocated, particularly in the Manhood Peninsula, for development.

2.25. The content of Policy T2 (transport development) is largely supported and considered sound save for the fact that it does not seem to cover the improvement of local transport routes, particularly those that would assist in improving the circulation of traffic around smaller settlements. The policy should be amended to specifically relate to local transport improvements which are locally important to aid traffic circulation and reduce congestion.

#### Neighbourhood Plan

2.26. The Selsey Neighbourhood Plan does not seek to allocate any sites or residential development, instead relying on those which were allocated in the previous local plan and, in particular, developments at Park Farm/Middle Field and Drift Field totalling 249 houses. It is assumed that this existing commitment accommodates the neighbourhood plan of 150 houses which is the justification for not allocating of residential development in the neighbourhood plan. However, this is short sighted as the neighbourhood plan runs to 2029 and, although development sites are largely controversial within smaller communities there is a lack of recognition of the requirement to provide new houses for existing and future residents (including descendants of current residents) in order to maintain the vitality and viability of the settlement outside of the tourist season where it is recognised that the local population will swell.

2.27. These points add further weight to the considered lack of soundness to the housing policies in the local plan which fail to recognise the need for smaller allocations within the Manhood Peninsula, particularly Selsey.

### 3 Local Infrastructure Provision

#### Selsey Road Improvements

3.1. Our clients wish to put forward a potential highway improvement scheme for Selsey which has come about given their extensive historic knowledge of the town and experience of significant congestion along Selsey High Street as a result of an over-reliance of this route by traffic using the caravan parks. It would be a common sense alternative route (to using High Street) which will alleviate congestion along Selsey High Street/School Lane/Paddock Lane/Warners Lane, particularly during the summer months.

3.2. The local plan focusses its attention on the need to improve the strategic highway network but this proposal would provide a significant benefit at a local level in Selsey. As per the attached plan, our clients propose to widen Golf Links Lane from its junction with the B2145 Chichester Road to its junction with Paddock Lane, then widen Paddock Lane and make it up to adoptable standard to enable delivery of holiday traffic to the point where it meets the north eastern corner of White Horse Caravan Park, from which point the road has been made up to carry holiday traffic. At the moment, the northern section of Paddock Lane is just a rough track which is not suitable for ordinary road traffic. It is envisaged that, in conjunction with the owner of the largest caravan parks, Warner's Lane will also be improved. It is currently a tarmac road in poor condition with no footways and one section is too narrow to allow two vehicles to pass each other. This is not satisfactory for the major access route to the largest caravan parks.

3.3. Golf Links Lane is currently a single track, tarmac road which is in poor condition. It is two-way but much of it is too narrow to allow two vehicles to pass each other. It serves Northcommon Farm, a small housing development on the northern side, Selsey Golf Club and Selsey Country Club (which comprises c.300 holiday chalets and an associated licensed club). If it were to be made up to adoptable standard to the point where it meets Paddock Lane, it would improve access for existing users but, importantly, it would also create a more direct access route (in conjunction with Paddock Lane) for traffic associated with thousands of holiday caravans as well as a touring caravan park.

3.4. Given that a large proportion of holiday traffic and other tourist industry-related traffic (HGVs carrying food and drink, caravan transporters, tractor/trailer transport and public transport) use the route along High Street/School Lane/Paddock Lane/Warners Lane it is considered that this could be diverted from the B2145 Chichester Road further north than Selsey High Street, thus taking traffic away from the congested High Street. An easier, more direct route to the major caravan parks would be an attractive alternative.

3.5. The mechanism to deliver such a proposal is not yet the subject of formal agreement. A large proportion of the land required to widen the roads is within the ownership of Deerhyde Limited (our clients) and the owner of the major caravan parks. The latter has been very supportive of the proposal verbally. A short section of land is not in any specific ownership but our clients have long-standing rights over its use, which can be traced back to 1830. Our clients are serious about facilitating these highway improvements, including the use of their land, which will inevitably have a significant financial impact upon them.

#### Potential Residential Development Sites

3.6. In order to mitigate the financial impact including both the loss of their land and the implementation of the proposed highway improvements our clients would like to promote two sites for residential development, namely land north of Golf Links Lane (13.5 acres/5.46 hectares) and land west of Old Farm Road for residential development. Whilst the north western corner of the site is located within Flood Zones 2 and 3 it is considered that the developable area of the site would be approximately 4 hectares and could therefore deliver approximately 120 to 140 dwellings. This includes retaining the existing boundary screening along the south eastern boundary and avoiding Flood Zones 2 and 3. An indicative plan is attached to this statement.

3.7. Thawscroft Ltd, an associated company, also owns land west of Old Farm Road, Selsey (2.8ha / 6.9 acres) which taking account of the flood risk constraints along its western boundary could accommodate approximately 50 dwellings. An indicative plan is attached to this statement.

3.8. Having reviewed the planning history of the site it is noted that a planning application (under the name of Thawcroft Limited) was made in December 2016, refused in June 2017 and the appeal was dismissed on 11 June 2018.

3.9. The reasons for refusal related to the following:

1. Site is located outside the defined settlement boundary for Selsey.

2. When the planning officer was giving evidence, he stated that he knew of an alternative site at lower risk of flooding but he would not identify it. After the appeal, an area of land north of Park Lane was identified for 250 houses. The land in question becomes waterlogged in the winter and is highly prone to surface water flooding. It is also only about 250m from Pagham Harbour, a site of major ecological importance with a significant level of protection afforded to it. The planning officer said the real issue with our appeal was one of numbers so it seemed curious to me that a site with a much larger number (250) was identified soon afterwards. Also, the land south of Park Lane (similarly prone to surface water flooding) was in the numbers for 2015/20 but in fact could not be started until 2021 so the planning inspector was misled. I believe that was crucial to the outcome. Landlink have proposed land west of the "Wave" roundabout (opposite Asda). This may be as an alternative for the land north of Park Lane. Neither parcel would be a good fit in the settlement policy area, whereas the land to the west of Old Farm Road would be, a fact acknowledged by planning officers in the past.

3. We did in fact offer to provide contributions towards improving the A27 so that reason for refusal was withdrawn prior to the appeal being heard.

4. As far as I can recall, the Council was content with our proposals in these matters at the time the appeal was heard. The criticism was that the need to avoid Flood Zones 2 and 3 created a narrow site which meant that the layout was said to be cramped. It could be that, with a smaller number of houses, MH Architects could provide an improved layout. Maybe this is reflected in the plan to which Vail Williams refer in paragraph 3.13.

3.10. It is considered that, as detailed above, given the Council's approach to an over-reliance on large strategic sites to fulfil its housing need and the lack of sites identified for development on the Manhood Peninsula (and in Selsey in particular) during the plan period this site could be proven to be an appropriate location for development as a "windfall site" to help maintain housing supply whilst the strategic sites are in the planning system.

3.11. It is considered the dwellings on the site could be laid out to avoid the Flood Zones 2 and 3 and therefore be at considerably less flood risk than the proposal which was dismissed at appeal. This is set out in the enclosed plan. This would overcome reason for refusal 2.

3.12. Reasons for refusal 3 and 4 would be overcome through the agreement of under Section 106 of the Town & Country Planning Act to provide contributions towards the improvement to the A27 on a proportionate basis to the size of the site and the number of dwellings and also the relevant number of affordable housing units required by policy (or justified as part of a viability exercise). Other matters such as the management of the landscaping, open space, buffers and drainage infrastructure could also be secured by the Section 106 agreement.

3.13. We commend the above highways solution and subsequent development sites to officers in consideration of the draft Local Plan.

#### 4 Conclusions

4.1. It is clear that whilst the overarching strategy of the location of the majority of development in the largest urban settlement of Chichester or adjacent to it is sound the lack of allocation of significant housing numbers to those areas outside Chichester is unsound. This would mean that the vast majority of the district would attract very little housing over the planning period to 2039 thus ensuring that existing settlements would not evolve and would potentially shrink as existing residents and descendants of residents migrate to the Chichester or its strategic urban extensions.

4.2. Outside Chichester, the strategic proposals for Southbourne and Tangmere are similarly isolated. The Manhood Peninsula is particularly lacking in the provision of additional housing sites during the plan period with the justification provided that, for Selsey in particular, recent planning permissions which are being built or have been completed would accommodate all of the housing need going forward for the plan period.

4.3. This approach is flawed for two main reasons (making the Local Plan unsound):

1. The over-reliance on strategic allocations which themselves are constrained by the capacity issues on the A27 and environmental issues such as nitrate neutrality (and any future water neutrality issues which migrate south from the north of Chichester) and the usual impacts on the European sites could mean that these sites are slower in being delivered with little in the way of alternatives allowed for in the local plan.

2. The failure to acknowledge any future development potential of note within the Manhood Peninsula and in particular Selsey will constrain the continued vitality and viability of the settlements within the Manhood Peninsula, particularly following the pandemic when the service sectors are struggling. Taking into account that Selsey in particular but other settlements along the coast within the Manhood Peninsula are reliant on seasonal tourist activity, additional residents are relied upon outside these times in order to provide income for those businesses which may struggle to survive outside the holiday seasons. An effective block on development would significantly reduce the potential future viability of these settlements outside the tourist season.

4.4. The emphasis on the stated urban-focussed housing strategy encourages neighbourhood planning groups/parish and town councils to maintain an opposition to the relevant rather than a proactive policy framework to direct appropriate development within their areas.

4.5. Our clients have detailed above one way which their land could be used in conjunction with others to facilitate a local infrastructure improvement to assist traffic circulation and access in and around Selsey itself which would need to be funded by future residential development and we commend this proposal to you for further consideration.

4.6. We trust that officers will take these representations into account and we look forward to receiving confirmation that the representations have been duly made.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Local Plan Reg 19 Representation Form - Chichester Local Plan - <https://chichester.oc2.uk/a/sjm>  
 15-085\_SK03\_Image - <https://chichester.oc2.uk/a/sjy>  
 22-0360 SK02 - Potential Site Access Option 2 - <https://chichester.oc2.uk/a/sjq>  
 22-0360 sk03\_DRAFT - Potential Site Access - Paddock Lane - <https://chichester.oc2.uk/a/skr>  
 22-0360 SP01\_DRAFT - Paddock Lane - SPA Inbound - <https://chichester.oc2.uk/a/sks>  
 22-0360 SPP02\_DRAFT - Paddock Lane - SPA Outbound - <https://chichester.oc2.uk/a/skt>  
 23 01 03\_22-0360\_TFD - <https://chichester.oc2.uk/a/sk3>

23 01 04\_B2145-Golf Links Lane - <https://chichester.oc2.uk/a/sk4>  
 15-085\_SK04\_A.pdf - <https://chichester.oc2.uk/a/spc>  
 Representations to the Chichester Local Plan - March 2023 - Deerhyde Ltd - <https://chichester.oc2.uk/a/spd>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr Graham Pick [8079]

**Agent:** Batcheller Monkhouse (Miss Clare Bartlett, Head of Planning) [7032]

### Summary:

Birdham Housing Needs Assessment estimated a need for 69 affordable dwellings between 2020-2035. Open market housing will be needed to deliver many of these.

Given the unaddressed housing need that also exists within the wider district, it is reasonable to assume that much of the A27 capacity issues can be attributed to commuting traffic caused by a lack of available local housing. By providing housing in locations with good public transport connections and where cycling to work is a realistic option, commuting traffic can be reduced.

### Full text:

Policy H3 prescribes each parish with a housing figure, many of which has been significantly reduced from the previous iteration of the draft Local Plan. In relation to Birdham, the figure has been reduced from 125 to zero.

As part of the preparation of the Birdham Neighbourhood Plan a parish housing needs assessment was undertaken. A report by AECOM on the assessment findings was published in January 2021. The report estimated a need for 43 affordable rented properties over the plan period (2020-2035), or 3 dwellings per year. The report also estimated a need for 26 shared ownership dwellings.

This quantum of affordable housing provision is more likely to be provided as a proportion of an open market housing scheme. On the basis of 30% of units provided as affordable houses, 230 houses would need to be built between 2020 and 2035 to ensure this number of affordable homes are delivered. A housing figure closer to this number for the parish of Birdham should be considered.

Whilst the Local Plan cites A27 capacity issues as the reason for reduced housing provision on the peninsula, housing need remains high. Given the unaddressed housing need that also exists within the wider district, it is reasonable to assume that much of the capacity issues can be attributed to commuting traffic caused by a lack of available local housing. By providing housing in locations with good public transport connections and where cycling to work is a realistic option, commuting traffic can be reduced.

### Change suggested by respondent:

Assign a housing figure to Birdham to reflect the housing need.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Chichester Local Plan Reg 19 Representations.pdf - <https://chichester.oc2.uk/a/scd>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Deerhyde Limited [7657]

**Agent:** Vail Williams LLP (David Ramsay, Partner) [8134]

### Summary:

The Selsey Neighbourhood Plan does not seek to allocate any sites or residential development, instead relying on those which were allocated in the previous local plan and, in particular, developments at Park Farm/Middle Field and Drift Field totalling 249 houses. It is assumed that this existing commitment accommodates the neighbourhood plan of 150 houses which is the justification for not allocating of residential development in the neighbourhood plan. However, this is short sighted as the neighbourhood plan runs to 2029 and, although development sites are largely controversial within smaller communities there is a lack of recognition of the requirement to provide new houses for existing and future residents (including descendants of current residents) in order to maintain the vitality and viability of the settlement outside of the tourist season where it is recognised that the local population will swell.

These points add further weight to the considered lack of soundness to the housing policies in the local plan which fail to recognise the need for smaller allocations within the Manhood Peninsula, particularly Selsey.

### Full text:

I am pleased to attach our representations in response to the Chichester Local Plan Regulation 19 consultation. These representations are submitted on behalf of our clients Deerhyde Ltd. owners of land in Selsey and located in the area for a significant number of years.

The submitted documents include the following:

- Representations statement
- Plans showing the potential road widening of Golf Links Lane and Paddock Lane, Selsey
- Development potential of sites for residential development at Golf Links Lane and Old Farm Road, Selsey taking account of flood zones 2 and 3 (2 plans 15-085 SK03 and SK04)
- Plans showing access options to Golf Links Lane site
- Plan showing tracking analysis for low-loaders
- Junction analysis
- Submission form

As detailed in the attached, after careful consideration we have concluded that the housing strategy for Chichester is flawed in principle as it fails to allocate sufficient sites in outside Chichester City (or adjacent to) to allow the remainder of the District to continue to provide houses for local people in areas where they are most needed.

In addition, our clients have put forward a suggestion for an infrastructure improvement to Selsey – namely the widening of Golf Links Lane and Paddocks Lane to accommodate delivery of caravans / other HGV / LGVs but also to provide a wider carriageway which could potentially incorporate a pavement / footpath cycleway to aid safer conveyance of pedestrians and vehicles in the area. Adding in a safer highway solution would also encourage car users to walk or cycle for local trips rather than risking congestion in the car. It would have the added benefit of diverting caravan park traffic travelling from the north into the caravan parks earlier and thus relieving congestion of Selsey High Street.

### Introduction

1.1. Vail Williams LLP has been instructed by Deerhyde Ltd to submit representations to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) document.

1.2. As per the Website, these comments seek to address the three questions namely:

1. Is it legally compliant?
2. Is it sound?
3. Does it comply with the duty to cooperate?

1.3. These representations are largely focussed on the provision of housing and ensuring that a satisfactory access (both vehicular and pedestrian) can be maintained and enhanced, particularly in Selsey.

1.4. These representations reflect the fact that our client, Deerhyde Ltd, owns a significant amount of land in the Selsey area, an interest which was acquired in 1986 but with family ownership going back many years before then.

1.5. Our clients have identified a potential opportunity to facilitate highway improvements within Selsey which would be to the benefit of both residents and tourists using the holiday parks and other attractions alike. This would particularly be of benefit given the Council's acknowledgement that the B2145 through Selsey is the busiest B road in the country. These representations bring into question the 'tests of soundness'. In particular regarding the questions as to whether it is 'sound' on the basis of whether it has been 'positively prepared', whether it is 'justified' and 'effective' in respect of the areas of concern raised with respect to employment land provisions.

1.6. As set out at Paragraph 35 of the NPPF local plans are required to be 'sound'. Plans are considered sound when the following applies:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>1</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy<sup>2</sup>, taking into account the reasonable alternatives<sup>3</sup>, and based on proportionate evidence<sup>4</sup>;
- c) Effective – deliverable over the plan period<sup>5</sup>, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.<sup>6</sup>

1.7. These representations seek to highlight that Chapter 5 (Housing) has not been positively prepared, in so far as it does not provide [1.] "a strategy which, as a minimum, seeks to meet the area's objectively assessed needs".

1.8. It is also considered that Chapter 5 is not justified as the housing strategy is [2.] is inappropriate as it relies on a number of large strategic sites, with multiple issues some of which are in conflict with other parts of the local plan.

1.9. Chapter 5 is also not justified with respect to its provisions do not [3.] take into account reasonable alternative sites.

1.10. It is considered on the basis of the other factors highlighted in these representations and the proposed housing land provision is not 'consistent with national policy' as the proposed provision does not enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant. It is considered that the proposed plans are contrary to the NPPF paragraph 16a, 16b, 16c, 16d and paragraph 20a

## 2 Local Plan Representations

2.1. Having reviewed the draft Local Plan we would make the following comments:

2.2. Paragraph 3.1 asserts the Government's encouragement for local planning authorities to ensure sustainable development is at the forefront when considering planning applications and that the National Planning Policy Framework (NPPF) defines sustainable development as "meeting the needs of the present without compromising the ability of future generations to meet their own needs". Paragraph 3.5 goes on to advise the range of factors as are informed the spatial strategy which underpins the local plan which, inter alia, "the pattern of need and demand for housing and employment across the area", "infrastructure capacity and constraints, in particular related to waste water treatment, roads and transport", "the availability of potential housing types, their deliverability and phasing" and this needs to take place whilst being mindful of the environmental constraints taking a sequential approach to avoiding flood risk areas, protect the environmental designations, landscape quality, the historic environment and settlement character.

2.3. The principles outlined above are supported as these are the key facets of good planning and plan making. However it falls to local authorities to ensure that the sustainable approach includes providing a sufficient supply of homes and facilitating a variety of sites to come forward where needed, and that the needs of groups within specific housing requirements are addressed and that land with permission is developed without unnecessary delay. (Paragraph 65). Paragraph 66 states that within the overall requirement [for housing] strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.

2.4. Paragraph 67 goes on, where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take account of factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

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2.6. Further guidance states (Paragraph 69) that small and medium sized sites can make an important [my emphasis] contribution to meeting the housing requirements of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites the local planning authority should identify sites of small and medium size and support the development of windfall sites through their promises and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes.

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2.8. Whilst it is noted that the delivery of large scale sites can result in the delivery of large numbers of new homes, it is apparent that such developments take considerable time to work their way through the planning system to an approval and even then are only at outline stage. The delivery of new homes is therefore reliant on the Councils to efficiently determine reserved matters applications and, thereafter, discharge of conditions, to allow a swift implementation of planning applications and a timely start on site for the delivery of housing.

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2.11. The plan is largely predicated on strategic sites, as detailed at Policy H2 which would provide 7,195 houses. This is a significant reliance on the strategic sites to deliver 75% of the overall housing target and much of them are predicated on the works to the A27 being completed in order to make them acceptable.

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#### The Manhood Peninsula

2.13. The preferred approached version of the Local Plan does include moderate growth for the settlement hubs of Selsey (250 dwellings) and East Wittering (350) and the service village of Hunston (200). However, since then several planning permissions have contributed to the moderate levels of growth on the Manhood Peninsula which the Council says has accounted for these housing numbers. The plan does not therefore include any strategic allocations on the Manhood Peninsula in recognition of this recently permitted growth and the ongoing constraints the area faces, save for 50 dwellings to come forward at North Mundham.

2.14. This approach is not considered sound as a reason to prevent development of any scale on the Manhood Peninsula (particularly Selsey) for the plan period. As detailed above, it is essential that the plan allocates land across its settlement hierarchy in order to maintain a sustainable and deliverable approach to development and to assist the continuing evolution and economic viability of settlements which rely heavily on tourism and also on new development to maintain the supply of homes to provide options for all sectors of the local community to be able to live on the Peninsula should they so wish.

2.15. It is noted that at Policy S2 (settlement hierarchy), Selsey is listed as a "settlement hub" which is the second tier of settlement under Chichester city. Whilst this hierarchy, particularly in connection with Selsey is supported it is therefore surprising not to see more housing sites allocated within and around Selsey.

2.16. Given the potential number of environmental constraints on the Manhood Peninsula it is unlikely that sites of any excessive size would come forward and large numbers of dwellings would not necessarily result once the sites had taken account of their environmental constraints. That said, and as reflected above, sites of a size proportionate to their location but below "strategic" size can have an important part to play in the delivery of sufficient housing numbers in the right location at the right time in accordance with the NPPF.

#### Housing

2.17. Policy H1 (meeting housing needs) sets out the housing requirement for the full plan period of 1 April 2021 to 31 March 2039 as 10,350 dwellings. This allocates 963 dwellings to the Manhood Peninsula and a windfall (small site allowance) allocation of 657 dwellings for the whole district. There are no strategic locations/allocations on the Manhood Peninsula under Policy H2 which is considered unsound, particularly given the position that Selsey holds in the settlement hierarchy. Furthermore, under Policy H3 (non-strategic parish housing requirements 2021-2039) Selsey has been allocated zero housing. Again, this is considered unsound as it prevents sustainable development and access to new houses for all settlements across the district.

2.18. An overreliance on consented sites coming forward to provide future housing is considered unsound as, in this case, it effectively prevents any further development on the Peninsula and in Selsey in particular.

#### Transport

2.19. Policy T1 (transport infrastructure) is specifically aimed at ensuring that integrated transport measures will be developed to mitigate the impact of planned development on the highway network, improve highway safety and air quality, promote more sustainable travel patterns and encourage increased use of sustainable motor travel, such as public transport, cycling and walking.

2.20. The council will work with National Highways, WSCC, other transport and service providers and developers to provide a better integrated transport network and improve accessibility to key services and facilities. The policy lists seven ways in which the key objectives of reducing the need to travel by car, enabling access to sustainable means of travel, including public transport, walking and cycling; managing travel demands; and mitigating the impacts of travelling by car can be achieved.

2.21. Whilst it is not intended to go through all of these in this document it is noted that all parties are expected to support the four objectives by working with relevant providers to improve accessibility to key services and facilities which would be relevant to Selsey (see below).

2.22. The policy is also aimed at planning to achieve a timely delivery of transport infrastructure on the A27 and elsewhere on the network which is needed to support new housing, employment and other development identified in this plan. The phasing of delivery of new development to align with provision of new transport infrastructure such as improvements to the A27 and elsewhere on the highway network, will be key to managing impacts on the highway. This is yet another impediment to the delivery of a strategic allocations and larger scale development which would, by their very nature, generate a higher highway impact on the transport network than carefully planned smaller developments which could satisfy a much more localised need and be cause less impact on the strategic road network. The tariff proposals outlined at paragraph 8.20 only covers part of West of Chichester and Tangmere SDLs and not the other strategic sites outlined at Policy H2.

2.23. Critically it is also understood that Highways England has pulled funding for the improvements to the Bognor Road roundabout as part of a package of A27 improvements. On this basis it is unclear how further funding would be secured at this time.

2.24. The lack of soundness to the approach of significant reliance on strategic sites, due to the current lack of capacity of the A27, is evident in the text that accompanies the policy which states that opportunities to secure funding to implement this package of improvements will be maximised by working proactively with Government agencies, other public sector organisations and private investors. Developer contributions from new development will also be sought. It is clear that smaller scale developments which would have a significantly lesser impact on the highway network could deliver housing quicker and with fewer constraints to implementation. It is for these reasons that smaller sites should be allocated, particularly in the Manhood Peninsula, for development.

2.25. The content of Policy T2 (transport development) is largely supported and considered sound save for the fact that it does not seem to cover the improvement of local transport routes, particularly those that would assist in improving the circulation of traffic around smaller settlements. The policy should be amended to specifically relate to local transport improvements which are locally important to aid traffic circulation and reduce congestion.

#### Neighbourhood Plan



2.26. The Selsey Neighbourhood Plan does not seek to allocate any sites or residential development, instead relying on those which were allocated in the previous local plan and, in particular, developments at Park Farm/Middle Field and Drift Field totalling 249 houses. It is assumed that this existing commitment accommodates the neighbourhood plan of 150 houses which is the justification for not allocating of residential development in the neighbourhood plan. However, this is short sighted as the neighbourhood plan runs to 2029 and, although development sites are largely controversial within smaller communities there is a lack of recognition of the requirement to provide new houses for existing and future residents (including descendants of current residents) in order to maintain the vitality and viability of the settlement outside of the tourist season where it is recognised that the local population will swell.

2.27. These points add further weight to the considered lack of soundness to the housing policies in the local plan which fail to recognise the need for smaller allocations within the Manhood Peninsula, particularly Selsey.

### 3 Local Infrastructure Provision

#### Selsey Road Improvements

3.1. Our clients wish to put forward a potential highway improvement scheme for Selsey which has come about given their extensive historic knowledge of the town and experience of significant congestion along Selsey High Street as a result of an over-reliance of this route by traffic using the caravan parks. It would be a common sense alternative route (to using High Street) which will alleviate congestion along Selsey High Street/School Lane/Paddock Lane/Warners Lane, particularly during the summer months.

3.2. The local plan focusses its attention on the need to improve the strategic highway network but this proposal would provide a significant benefit at a local level in Selsey. As per the attached plan, our clients propose to widen Golf Links Lane from its junction with the B2145 Chichester Road to its junction with Paddock Lane, then widen Paddock Lane and make it up to adoptable standard to enable delivery of holiday traffic to the point where it meets the north eastern corner of White Horse Caravan Park, from which point the road has been made up to carry holiday traffic. At the moment, the northern section of Paddock Lane is just a rough track which is not suitable for ordinary road traffic. It is envisaged that, in conjunction with the owner of the largest caravan parks, Warner's Lane will also be improved. It is currently a tarmac road in poor condition with no footways and one section is too narrow to allow two vehicles to pass each other. This is not satisfactory for the major access route to the largest caravan parks.

3.3. Golf Links Lane is currently a single track, tarmac road which is in poor condition. It is two-way but much of it is too narrow to allow two vehicles to pass each other. It serves Northcommon Farm, a small housing development on the northern side, Selsey Golf Club and Selsey Country Club (which comprises c.300 holiday chalets and an associated licensed club). If it were to be made up to adoptable standard to the point where it meets Paddock Lane, it would improve access for existing users but, importantly, it would also create a more direct access route (in conjunction with Paddock Lane) for traffic associated with thousands of holiday caravans as well as a touring caravan park.

3.4. Given that a large proportion of holiday traffic and other tourist industry-related traffic (HGVs carrying food and drink, caravan transporters, tractor/trailer transport and public transport) use the route along High Street/School Lane/Paddock Lane/Warners Lane it is considered that this could be diverted from the B2145 Chichester Road further north than Selsey High Street, thus taking traffic away from the congested High Street. An easier, more direct route to the major caravan parks would be an attractive alternative.

3.5. The mechanism to deliver such a proposal is not yet the subject of formal agreement. A large proportion of the land required to widen the roads is within the ownership of Deerhyde Limited (our clients) and the owner of the major caravan parks. The latter has been very supportive of the proposal verbally. A short section of land is not in any specific ownership but our clients have long-standing rights over its use, which can be traced back to 1830. Our clients are serious about facilitating these highway improvements, including the use of their land, which will inevitably have a significant financial impact upon them.

#### Potential Residential Development Sites

3.6. In order to mitigate the financial impact including both the loss of their land and the implementation of the proposed highway improvements our clients would like to promote two sites for residential development, namely land north of Golf Links Lane (13.5 acres/5.46 hectares) and land west of Old Farm Road for residential development. Whilst the north western corner of the site is located within Flood Zones 2 and 3 it is considered that the developable area of the site would be approximately 4 hectares and could therefore deliver approximately 120 to 140 dwellings. This includes retaining the existing boundary screening along the south eastern boundary and avoiding Flood Zones 2 and 3. An indicative plan is attached to this statement.

3.7. Thawscroft Ltd, an associated company, also owns land west of Old Farm Road, Selsey (2.8ha / 6.9 acres) which taking account of the flood risk constraints along its western boundary could accommodate approximately 50 dwellings. An indicative plan is attached to this statement.

3.8. Having reviewed the planning history of the site it is noted that a planning application (under the name of Thawscroft Limited) was made in December 2016, refused in June 2017 and the appeal was dismissed on 11 June 2018.

3.9. The reasons for refusal related to the following:

1. Site is located outside the defined settlement boundary for Selsey.

2. When the planning officer was giving evidence, he stated that he knew of an alternative site at lower risk of flooding but he would not identify it. After the appeal, an area of land north of Park Lane was identified for 250 houses. The land in question becomes waterlogged in the winter and is highly prone to surface water flooding. It is also only about 250m from Pagham Harbour, a site of major ecological importance with a significant level of protection afforded to it. The planning officer said the real issue with our appeal was one of numbers so it seemed curious to me that a site with a much larger number (250) was identified soon afterwards. Also, the land south of Park Lane (similarly prone to surface water flooding) was in the numbers for 2015/20 but in fact could not be started until 2021 so the planning inspector was misled. I believe that was crucial to the outcome. Landlink have proposed land west of the "Wave" roundabout (opposite Asda). This may be as an alternative for the land north of Park Lane. Neither parcel would be a good fit in the settlement policy area, whereas the land to the west of Old Farm Road would be, a fact acknowledged by planning officers in the past.

3. We did in fact offer to provide contributions towards improving the A27 so that reason for refusal was withdrawn prior to the appeal being heard.

4. As far as I can recall, the Council was content with our proposals in these matters at the time the appeal was heard. The criticism was that the need to avoid Flood Zones 2 and 3 created a narrow site which meant that the layout was said to be cramped. It could be that, with a smaller number of houses, MH Architects could provide an improved layout. Maybe this is reflected in the plan to which Vail Williams refer in paragraph 3.13.

3.10. It is considered that, as detailed above, given the Council's approach to an over-reliance on large strategic sites to fulfil its housing need and the lack of sites identified for development on the Manhood Peninsula (and in Selsey in particular) during the plan period this site could be proven to be an appropriate location for development as a "windfall site" to help maintain housing supply whilst the strategic sites are in the planning system.

3.11. It is considered the dwellings on the site could be laid out to avoid the Flood Zones 2 and 3 and therefore be at considerably less flood risk than the proposal which was dismissed at appeal. This is set out in the enclosed plan. This would overcome reason for refusal 2.

3.12. Reasons for refusal 3 and 4 would be overcome through the agreement of under Section 106 of the Town & Country Planning Act to provide contributions towards the improvement to the A27 on a proportionate basis to the size of the site and the number of dwellings and also the relevant number of affordable housing units required by policy (or justified as part of a viability exercise). Other matters such as the management of the landscaping, open space, buffers and drainage infrastructure could also be secured by the Section 106 agreement.

3.13. We commend the above highways solution and subsequent development sites to officers in consideration of the draft Local Plan.

#### 4 Conclusions

4.1. It is clear that whilst the overarching strategy of the location of the majority of development in the largest urban settlement of Chichester or adjacent to it is sound the lack of allocation of significant housing numbers to those areas outside Chichester is unsound. This would mean that the vast majority of the district would attract very little housing over the planning period to 2039 thus ensuring that existing settlements would not evolve and would potentially shrink as existing residents and descendants of residents migrate to the Chichester or its strategic urban extensions.

4.2. Outside Chichester, the strategic proposals for Southbourne and Tangmere are similarly isolated. The Manhood Peninsula is particularly lacking in the provision of additional housing sites during the plan period with the justification provided that, for Selsey in particular, recent planning permissions which are being built or have been completed would accommodate all of the housing need going forward for the plan period.

4.3. This approach is flawed for two main reasons (making the Local Plan unsound):

1. The over-reliance on strategic allocations which themselves are constrained by the capacity issues on the A27 and environmental issues such as nitrate neutrality (and any future water neutrality issues which migrate south from the north of Chichester) and the usual impacts on the European sites could mean that these sites are slower in being delivered with little in the way of alternatives allowed for in the local plan.

2. The failure to acknowledge any future development potential of note within the Manhood Peninsula and in particular Selsey will constrain the continued vitality and viability of the settlements within the Manhood Peninsula, particularly following the pandemic when the service sectors are struggling. Taking into account that Selsey in particular but other settlements along the coast within the Manhood Peninsula are reliant on seasonal tourist activity, additional residents are relied upon outside these times in order to provide income for those businesses which may struggle to survive outside the holiday seasons. An effective block on development would significantly reduce the potential future viability of these settlements outside the tourist season.

4.4. The emphasis on the stated urban-focussed housing strategy encourages neighbourhood planning groups/parish and town councils to maintain an opposition to the relevant rather than a proactive policy framework to direct appropriate development within their areas.

4.5. Our clients have detailed above one way which their land could be used in conjunction with others to facilitate a local infrastructure improvement to assist traffic circulation and access in and around Selsey itself which would need to be funded by future residential development and we commend this proposal to you for further consideration.

4.6. We trust that officers will take these representations into account and we look forward to receiving confirmation that the representations have been duly made.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Local Plan Reg 19 Representation Form - Chichester Local Plan - <https://chichester.oc2.uk/a/sjm>  
 15-085\_SK03\_Image - <https://chichester.oc2.uk/a/sjy>  
 22-0360 SK02 - Potential Site Access Option 2 - <https://chichester.oc2.uk/a/sjq>  
 22-0360 sk03\_DRAFT - Potential Site Access - Paddock Lane - <https://chichester.oc2.uk/a/skr>  
 22-0360 SP01\_DRAFT - Paddock Lane - SPA Inbound - <https://chichester.oc2.uk/a/sks>  
 22-0360 SPP02\_DRAFT - Paddock Lane - SPA Outbound - <https://chichester.oc2.uk/a/skt>  
 23 01 03\_22-0360\_TFD - <https://chichester.oc2.uk/a/sk3>  
 23 01 04\_B2145-Golf Links Lane - <https://chichester.oc2.uk/a/sk4>  
 15-085\_SK04\_A.pdf - <https://chichester.oc2.uk/a/spc>  
 Representations to the Chichester Local Plan - March 2023 - Deerhyde Ltd - <https://chichester.oc2.uk/a/spd>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

#### Summary:

The Examiner of Bosham's plan suggested that residents would still have a say in where housing was allocated within the village. That has not happened with no consultation with landowners or residents other than to propose one single site. Residents voted to accept the modifications based on the inspectors' comments which to date have not been upheld.

#### Full text:

The Examiner of Bosham's plan suggested that residents would still have a say in where housing was allocated within the village. That has not happened with no consultation with landowners or residents other than to propose one single site. Residents voted to accept the modifications based on the inspectors' comments which to date have not been upheld.

#### Change suggested by respondent:

Bosham needs a consultation since its allocation has gone from 50-300 without any resident input about where these might be allocated. Residents accepted that the Parish Council could not finish the plan but thought that they would still be consulted on where they wanted houses or at least that the previous consultation (adopted document) would be given due weight.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Revd John Bundock [7975]

**Summary:**

Object to 220 new dwellings in Loxwood

**Full text:**

Policy A15 10.66-10.77 Object to 220 new dwellings in Loxwood :

Environmental depletion through loss of habitat for wildlife including Skylarks and other ground-nesting birds, Barn & Tawney Owls & bats that hunt over the fields, the area where a Cuckoo is active each year.

Very limited public transport.

Inadequate parking at nearest station : Billingshurst.

Inadequate roads from.

Increasing volume of traffic from any significant housing development.

Lack of fresh water capacity & ability of public sewer to cope with additional capacity.

Create suburban development that would change th character of the village

Loss of footpaths/public rights of way

**Change suggested by respondent:**

Remove housing figure for Loxwood.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Gladman Developments Ltd (Mr Rob Wilding, Senior Planner) [7816]

**Summary:**

Gladman strongly disagree with the Council providing no new housing allocations in Birdham which is a Tier 3 Service Village. In the Preferred Approach consultation document, Birdham was allocated to deliver 125 new homes over the local plan period and now it is allocated to deliver 0 homes over the plan period.

**Full text:**

Gladman strongly disagree with the Council providing no new housing allocations in Birdham which is a Tier 3 Service Village. In the Preferred Approach consultation document, Birdham was allocated to deliver 125 new homes over the local plan period and now it is allocated to deliver 0 homes over the plan period.

There have been a few planning applications submitted for residential development in Birdham over the past few years. Gladman's planning application at land off Main Road, Birdham is waiting to be reported to Chichester's Planning Committee. The application site is highly sustainable and logical site in the district which is not currently subject to an adopted allocation or a draft allocation. In light of this conclusion, it seems illogical that the Council will not allocate any further housing growth to a highly sustainable settlement which can accommodate additional housing growth. This will ultimately result in affordability rising across the district and most notably in the northern area of the district.

**Change suggested by respondent:**

Further housing growth in Birdham.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Welbeck Strategic Land IV LLP [7970]

**Agent:** Mrs Sarah Hufford [7969]

**Summary:**

It is considered that 'small-scale' should be defined within the Policy, noting that 6 dwellings is the minimum for allocation but no guidance is given about when a site stops being 'small-scale' and becomes 'strategic' and to be included under Policy H2.

It is noted that West Wittering Parish is not apportioned development. As set out under objections to Policy H2 it is considered that Land West of Church Road (Northern Parcel) should be allocated for strategic development. Accordingly, the West Wittering Parish should be noted with a '\*'

**Full text:**

It is considered that 'small-scale' should be defined within the Policy, noting that 6 dwellings is the minimum for allocation but no guidance is given about when a site stops being 'small-scale' and becomes 'strategic' and to be included under Policy H2.

It is noted that West Wittering Parish is not apportioned development. As set out under objections to Policy H2 it is considered that Land West of Church Road (Northern Parcel) should be allocated for strategic development. Accordingly, the West Wittering Parish should be noted with a '\*'

**Change suggested by respondent:**

Land West of Church Road (Northern Parcel) should be allocated for strategic development. Accordingly, the West Wittering Parish should be noted with a '\*'

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

This housing need shortfall is exacerbated by the fact that the Plan fails to take account of the full potential of all of the new strategic locations within the District, such as Boxgrove. This strategic level of growth could amount to at least 200 homes, significantly greater than that proposed in Plan Policy H3, which states that, as a 'service village', 50 dwellings could 'come forward through the neighbourhood planning process'. Paragraph 3.19, Page 38, of the Regulation 19 document cites some of the reasons for this limited growth within non-strategic Parishes, such as Boxgrove, as being:

- Land Availability.
- Landscape Considerations.
- Settlement Patterns.
- Available Infrastructure.

Indeed, there is an evidence base that supports the case that Boxgrove has the potential to accommodate a strategic level of housing growth, rather than the conclusion that it has limited capacity due to constraints – or the 50 homes proposed by CDC in Plan Policy H3.

**Full text:**

This housing need shortfall is exacerbated by the fact that the Plan fails to take account of the full potential of all of the new strategic locations within the District, such as Boxgrove. Indeed, there is an evidence base that supports the case that Boxgrove has the potential to accommodate a strategic level of housing growth, rather than the conclusion that it has limited capacity due to constraints – or the 50 homes proposed by CDC in Plan Policy H3.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** March 23 Reg 19 reps Chichester District Council RHL - Final.pdf - <https://chichester.oc2.uk/a/s7q>

## Support

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a

commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate – and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However,

serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively. The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...

...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to "predicting and providing" for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to "offices", in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to "monitor and manage" is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of "gridlock". The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaningful mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

"Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use."

Underpinning the Plan's spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: "The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area's main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population."

This is clearly the appropriate focus for meeting the District's development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as



can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome. East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for

sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

### 3.2. Policy S2 Settlement Hierarchy

#### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

"4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant."

This is a retroactive approach – it is not "planning", based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

### 5. Housing

#### 5.1. Policy H1 Meeting Housing Needs

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protected is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially

from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide" has "run out of road" no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this. Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

"Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

"1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

#### 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to "roll forward" this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west through movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of "zero-sum" game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous "predict and provide" approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that "shared mobility" – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d’être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

#### 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;

5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;

6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.

7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence



Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

• Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city

centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

#### 9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

#### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, unsurveyed and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...  
...  
... "

• Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...  
...  
... "

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“

12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;

”

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

" ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

" ...

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

" ...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

" ...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West

Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“ ...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Rydon Homes Limited [1499]**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]**Summary:**

In regards to Policy H3 regarding a Non-Strategic Parish Housing Requirement, we object to the proposed quantum of homes (50 homes) for Boxgrove Parish.

Policy H3 references 'non-strategic parish housing requirements', referring to 'small scale housing sites'. The largest quantum of homes within Policy H3 is 75 additional homes for Wisborough Green. In contrast the lowest quantum of new homes under Policy H2 is 220 new homes at Loxwood. We feel that if Policy H2 defines a strategic level of growth as a minimum of 220 new homes, then Policy H3 should plan for a higher quantum of growth than 75 additional homes.

**Full text:**

In regards to Policy H3 regarding a Non-Strategic Parish Housing Requirement, we object to the proposed quantum of homes (50 homes) for Boxgrove Parish.

**Change suggested by respondent:**

We feel that the quantum of homes should be significantly higher, as outlined in our comments on Policy H2.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:****Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Seaward Strategic Land Ltd and Owners of Land on Durbans Road, Wisborough Green [8033]**Agent:** Luken Beck MDP Ltd (Mr Ian Johnson) [111]**Summary:**

Our client is fully in agreement with the Council's Vision and Strategic Objectives, with regard to the dispersal of growth to the more sustainable rural villages. However, the limited housing provision for Wisborough Green of 75 dwellings, against the 220 dwellings proposed for Loxwood (draft Policy H2) is not considered to be reflective of the constraints and sustainability credentials of these settlements.

**Full text:**

Our client is fully in agreement with the Council's Vision and Strategic Objectives, with regard to the dispersal of growth to the more sustainable rural villages. However, the limited housing provision for Wisborough Green of 75 dwellings, against the 220 dwellings proposed for Loxwood (draft Policy H2) is not considered to be reflective of the constraints and sustainability credentials of these settlements.

**Change suggested by respondent:**

Our client has prepared a Vision Document as part of a strategic promotion of the Land on Durbans Road (located on a relatively unconstrained site on the northern edge of Wisborough Green), which is attached in support of this representation. The Vision Document demonstrates there is sufficient capacity to deliver c. 50 additional dwellings within comfortable walking distance, via safe and convenient walking routes, of a range of local amenities. The Council have not fully justified the disproportionate level of housing for Loxwood against that of Wisborough Green and on this basis the draft Plan is at greater risk of being found 'unsound'.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** No**Attachments:** 23012 - (Vision Document) 14.03.2023 email.pdf - <https://chichester.oc2.uk/a/s8t>



## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr Robin Neville [8025]

**Agent:** Simply Planning Limited (Mr James Hodgkins, Associate Planner) [8024]

**Summary:**

Whilst we are wholly supportive of the policy's ambition to deliver new homes through small-scale housing sites, we raise concern with the approach proposed and its over reliance on sites being identified through the neighbourhood/community planning process. We contend the housing needs will not be met in an appropriate timeframe given the extensive levels of inputs and resources required to adopt an NDP.

We maintain that opportunities should be made for development to come forward through small scale allocations and/or through an encouragement of windfall development following extensions to development boundaries. Please refer to our supporting representation document attached.

**Full text:**

Whilst we are wholly supportive of the policy's ambition to deliver new homes through small-scale housing sites, we raise concern with the approach proposed and its over reliance on sites being identified through the neighbourhood/community planning process. We contend the housing needs will not be met in an appropriate timeframe given the extensive levels of inputs and resources required to adopt an NDP.

We maintain that opportunities should be made for development to come forward through small scale allocations and/or through an encouragement of windfall development following extensions to development boundaries. Please refer to our supporting representation document attached.

**Change suggested by respondent:**

We would encourage the Local Plan to allocate small-scale housing sites and or reconsider the redrawing of development boundaries surrounding non-strategic settlements to provide greater opportunities for windfall development.

In particular we respectfully request that the settlement boundary of Ifold be extended to include land to the rear of Felside, Chalk Road, RH14 OUD and the site allocated. In doing so, this represents a logical extension to Ifold, taking the settlement boundary up to the extent of existing rear gardens, wholly consistent with the limits of the settlement boundary elsewhere.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Location plan.pdf - <https://chichester.oc2.uk/a/s8d>  
Felside Regulation 19\_Redacted - <https://chichester.oc2.uk/a/shf>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Reside Developments Ltd [8055]

**Agent:** Tetra Tech (Dr Chris Lyons, Director) [8054]

**Summary:**

Concerned that delivery through Neighbourhood Plans and/or subsequent DPD does not provide certainty or ensure timeliness.

Considers Southbourne (as well as other parishes with zero housing figure due to strategic site allocations) should also have a parish figure.

**Full text:**

See submitted letter

**Change suggested by respondent:**

Allocation of proposed housing site (Willowbrook Riding Stables, Hambrook) within Plan to ensure timely delivery.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Local Plan reps (Willowbrook) redacted - <https://chichester.oc2.uk/a/sx5>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

It is argued that over the 18-year Plan period there should be some growth within all Parishes, even at a low level and that any without growth is suitably justified.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

**Summary:**

Consideration of CCE's landholding at Southbourne, Oving, and Hunston Parishes.

**Full text:**

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land

in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

## Chapter 2: Vision & Strategic Objectives

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

## Chapter 3: Spatial Strategy and Settlement Hierarchy

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

### Policy S1 Spatial Development Strategy

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

### Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

## Chapter 4: Climate Change and the Natural Environment

### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

#### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

#### Chapter 5: Housing

##### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

##### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

##### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

##### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'.

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

##### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

#### Chapter 6: Place-making

##### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum

density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

## Chapter 7: Employment and Economy

### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that “approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period.” Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

## Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council’s proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE’s land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE’s control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE’s control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

#### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

#### Change suggested by respondent:

Consideration of CCE's landholdings at Southbourne, Oving and Hunston parishes.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
 D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
 East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
 Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
 Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
 Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Dandara Southern Limited [8180]

**Agent:** Henry Adams LLP (Mrs Rebecca Tier, Senior Planner) [8116]

#### Summary:

- It is considered that the selected areas for growth and figures are deliverable, but the plan area could accommodate a greater level of growth;
- The plan does rely on the deliver of Neighbourhood Plan / Small Site Allocations DPD;
- It is considered the wording of H3 is not precise and does [not] provide any clear timetable for delivery within the Plan period

#### Full text:

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation in relation to the land at Flat Farm, Hambrook, PO18 8FT, as shown on the attached plan HA Appendix 1: Site Location Plan, and hereon referred to as the site.

1.2 This representation will provide a written responses in relation the questions in the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District through an appropriate allocation within the Council's Local Plan, or through an allocation of numbers to the Hambrook Parish as set out in policy A12 of the Draft Local Plan, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that we do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the plan does rely on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst my comments are noted above that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Development in Chidham, Hambrook & Nutbourne

3.1 Our client's site is located within the village of Nutbourne and comprises an area of land of 1.3 hectares adjacent to the existing residential development along Broad Road. The site is currently located outside, but directly to the east of the settlement boundary of Nutbourne.

3.2 The Local Plan provides for a moderate level of growth within the parishes of Fishbourne, Chidham & Hambrook and Bosham, known as service villages, where it is acknowledged that there is good / excellent potential to bring forward development with opportunities to support and expand existing facilities and for increased use of public transport options.

3.3 Policy A12 relates to the strategic Chidham and Hambrook allocation and confirms that land will be allocated for development in the revised Chidham and Hambrook Neighbourhood Plan for a minimum of 300 dwellings and supporting facilities and infrastructure.

3.4 The Parish of Nutbourne and Hambrook is a logical position for the strategic expansion of 300 dwellings, given its sustainable transportation links and lack of constraints in comparison to other locations within the southern area of the District. The evidence documents which have informed the Plan also support the quantum of development put forward in the policy allocation.

3.5 As our client's land could deliver up to 40 dwellings, it would be an appropriately sized site, adjacent to the existing settlement boundary of Nutbourne, which would not compromise the spatial development of Nutbourne or Hambrook to the north. We will therefore be looking to promote our client's site with Chidham & Hambrook Parish Council through a Neighbourhood Plan allocation, and will be recommending to the Parish they allocate a number of small to medium sites to meet the Local Plan policy requirement of 300 dwellings. This development strategy will ensure the integrity and current linear spatial pattern of the service villages are maintained.

3.6 Our client's land is ideally situated adjacent to existing residential development which surrounds the site to the north, south and west. This includes the recent development at Hambrook Place and the linear form of dwellings along Broad Road to the west, Hambrook Holiday & Caravan Park to the north and further residential development accessed from Broad Road to the south. The site would not extend further to the east than the built form of development located to the north and south and would not therefore encroach on the wider field pattern to the east. The impact on the wider rural landscape to the east would therefore be limited and the views looking towards the South Downs from the A259 would not be harmed.

3.7 The site sits outside and to the south of the Green Corridor shown in the Interim Version of the Chidham & Hambrook Neighbourhood Plan Strategy published October 2021. The development of this site would not therefore impact on the integrity of the Green Corridor or the gap between the settlement boundaries of Hambrook and Nutbourne as shown in the Neighbourhood Plan Strategy.

#### The Current Appeal

3.8 In addition to the promotion of the site for allocation within the next iteration of the Neighbourhood Plan, the Council will be aware that this site is also currently subject to a pending appeal relating to planning application 20/03378/OUT. This application seeks outline planning permission for thirty dwellings with access, associated works, including the provision of swales.

3.9 The pending planning appeal follows a previous outline application, 20/00412/OUT for an entry level housing scheme of thirty-five affordable dwellings which was dismissed at appeal on 14 January 2022. The main reason for dismissing this appeal was the proposed development was considered to give rise to adverse effects on the integrity of the local Habitats sites. Whilst the Inspector considered adequate mitigation measures in respect of nutrient neutrality had been provided by the Appellant, an appropriate mechanism for securing these measures for the duration of the development had not been provided with any adequate degree of certainty. It should be noted that no other concerns were raised by the Inspector in relation to the suitability of this site for the development.

3.10 The Council have raised two concerns in relation to the current pending appeal for thirty dwellings on the site. The Council raise concern with future occupiers of the discounted market housing (DMS) not being able to obtain mortgages due to properties proximity to electricity pylons which would lead to properties being occupied on a social rented basis. In this scenario, the Council consider in combination with the adjacent social rented scheme, this would result in an unacceptably high concentration of mono tenure properties.

3.11 The Chidham & Hambrook Neighbourhood Plan Strategy also notes the presence of pylons and overhead power lines along the northern edge of Nutbourne and the limitations this might cause to development in relation to the guidance published by National Grid (Design Guidelines for Development near Pylons and High Voltage Overhead Power Lines).

3.12 Taking into account the Inspector's comments on this point in relation to the previous appeal for 35 no. affordable residential dwellings, it should be noted that the Inspector previously considered that the Appellant's evidence demonstrated that there were lenders willing to offer mortgages for DMS properties.

3.13 It should also be noted that as this forms an outline planning application with all matters reserved except for access, the layout of affordable housing is not a matter to be considered under this outline appeal scheme. Nine affordable units would also not lead to an intensive cluster of affordable housing as they have frontages onto different roads.

3.14 The second issue raised by the Council in relation to the appeal could be overcome through the provision of a s106 agreement to provide an appropriate mechanism to secure the mitigation measures relating to nutrient neutrality.

3.15 As the Council have raised no concerns in relation to the principle of residential development on the site with regard to the current planning appeal, the use of the site for residential development is generally considered to be acceptable. This could be delivered through a successful outcome on the current appeal, through a future allocation within the Neighbourhood Plan or via an SPD prepared by the Council.

#### Change suggested by respondent:

The Local Plan needs to give a clear timescale for completion of the supplementary development plan documents in order to give a clear timescale for this to be completed.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Hambrook Representation - <https://chichester.oc2.uk/a/snk>  
Representation Form - H1 - <https://chichester.oc2.uk/a/snz>  
Representation Form - S1 - <https://chichester.oc2.uk/a/snn>  
Representation Form H3 - <https://chichester.oc2.uk/a/snn>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Dandara Southern Limited [8180]

**Agent:** Henry Adams LLP (Mrs Rebecca Tier, Senior Planner) [8116]

#### Summary:

Site submission. Land at Flat Farm, Hambrook. 40 dwellings.

**Full text:****1 Introduction**

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation in relation to the land at Flat Farm, Hambrook, PO18 8FT, as shown on the attached plan HA Appendix 1: Site Location Plan, and hereon referred to as the site.

1.2 This representation will provide a written responses in relation the questions in the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

**2 Comments on Specific Questions/Tests**

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District through an appropriate allocation within the Council's Local Plan, or through an allocation of numbers to the Hambrook Parish as set out in policy A12 of the Draft Local Plan, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

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- The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

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2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

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2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

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2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

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3.2 The Local Plan provides for a moderate level of growth within the parishes of Fishbourne, Chidham & Hambrook and Bosham, known as service villages, where it is acknowledged that there is good / excellent potential to bring forward development with opportunities to support and expand existing facilities and for increased use of public transport options.

3.3 Policy A12 relates to the strategic Chidham and Hambrook allocation and confirms that land will be allocated for development in the revised Chidham and Hambrook Neighbourhood Plan for a minimum of 300 dwellings and supporting facilities and infrastructure.

3.4 The Parish of Nutbourne and Hambrook is a logical position for the strategic expansion of 300 dwellings, given its sustainable transportation links and lack of constraints in comparison to other locations within the southern area of the District. The evidence documents which have informed the Plan also support the quantum of development put forward in the policy allocation.

3.5 As our client's land could deliver up to 40 dwellings, it would be an appropriately sized site, adjacent to the existing settlement boundary of Nutbourne, which would not compromise the spatial development of Nutbourne or Hambrook to the north. We will therefore be looking to promote our client's site with Chidham & Hambrook Parish Council through a Neighbourhood Plan allocation, and will be recommending to the Parish they allocate a number of small to medium sites to meet the Local Plan policy requirement of 300 dwellings. This development strategy will ensure the integrity and current linear spatial pattern of the service villages are maintained.

3.6 Our client's land is ideally situated adjacent to existing residential development which surrounds the site to the north, south and west. This includes the recent development at Hambrook Place and the linear form of dwellings along Broad Road to the west, Hambrook Holiday & Caravan Park to the north and further residential development accessed from Broad Road to the south. The site would not extend further to the east than the built form of development located to the north and south and would not therefore encroach on the wider field pattern to the east. The impact on the wider rural landscape to the east would therefore be limited and the views looking towards the South Downs from the A259 would not be harmed.

3.7 The site sits outside and to the south of the Green Corridor shown in the Interim Version of the Chidham & Hambrook Neighbourhood Plan Strategy published October 2021. The development of this site would not therefore impact on the integrity of the Green Corridor or the gap between the settlement boundaries of Hambrook and Nutbourne as shown in the Neighbourhood Plan Strategy.

#### The Current Appeal

3.8 In addition to the promotion of the site for allocation within the next iteration of the Neighbourhood Plan, the Council will be aware that this site is also currently subject to a pending appeal relating to planning application 20/03378/OUT. This application seeks outline planning permission for thirty dwellings with access, associated works, including the provision of swales.

3.9 The pending planning appeal follows a previous outline application, 20/00412/OUT for an entry level housing scheme of thirty-five affordable dwellings which was dismissed at appeal on 14 January 2022. The main reason for dismissing this appeal was the proposed development was considered to give rise to adverse effects on the integrity of the local Habitats sites. Whilst the Inspector considered adequate mitigation measures in respect of nutrient neutrality had been provided by the Appellant, an appropriate mechanism for securing these measures for the duration of the development had not been provided with any adequate degree of certainty. It should be noted that no other concerns were raised by the Inspector in relation to the suitability of this site for the development.

3.10 The Council have raised two concerns in relation to the current pending appeal for thirty dwellings on the site. The Council raise concern with future occupiers of the discounted market housing (DMS) not being able to obtain mortgages due to properties proximity to electricity pylons which would lead to properties being occupied on a social rented basis. In this scenario, the Council consider in combination with the adjacent social rented scheme, this would result in an unacceptably high concentration of mono tenure properties.

3.11 The Chidham & Hambrook Neighbourhood Plan Strategy also notes the presence of pylons and overhead power lines along the northern edge of Nutbourne and the limitations this might cause to development in relation to the guidance published by National Grid (Design Guidelines for Development near Pylons and High Voltage Overhead Power Lines).

3.12 Taking into account the Inspector's comments on this point in relation to the previous appeal for 35 no. affordable residential dwellings, it should be noted that the Inspector previously considered that the Appellant's evidence demonstrated that there were lenders willing to offer mortgages for DMS properties.

3.13 It should also be noted that as this forms an outline planning application with all matters reserved except for access, the layout of affordable housing is not a matter to be considered under this outline appeal scheme. Nine affordable units would also not lead to an intensive cluster of affordable housing as they have frontages onto different roads.

3.14 The second issue raised by the Council in relation to the appeal could be overcome through the provision of a s106 agreement to provide an appropriate mechanism to secure the mitigation measures relating to nutrient neutrality.

3.15 As the Council have raised no concerns in relation to the principle of residential development on the site with regard to the current planning appeal, the use of the site for residential development is generally considered to be acceptable. This could be delivered through a successful outcome on the current appeal, through a future allocation within the Neighbourhood Plan or via an SPD prepared by the Council.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Hambrook Representation - <https://chichester.oc2.uk/a/snk>  
Representation Form - H1 - <https://chichester.oc2.uk/a/snz>  
Representation Form - S1 - <https://chichester.oc2.uk/a/snm>  
Representation Form H3 - <https://chichester.oc2.uk/a/snn>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Annette Olney [8196]

**Summary:**

Object to increase in housing number for Wisborough Green on grounds that village character would be ruined; threats to wildlife/natural environment; lack of infrastructure; lack of affordable housing; congestion; use of greenfield rather than brownfield sites; second home owners should be penalised.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/spf>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

It is inappropriate to require villages to provide a zero-housing figure. Villages may not be strategic locations for significant additional housing, but it is not unreasonable, through neighbouring planning or individual promotions to support some limited development subject to material considerations and individual merit.

At Lavant for example the Estate has land interests where a small contribution to housing supply could be made – not necessarily as open market housing, but specific quality housing to meet identified needs. In other villages in-fill development might be appropriate.

**Full text:**

It is inappropriate to require villages to provide a zero-housing figure. Villages may not be strategic locations for significant additional housing, but it is not unreasonable, through neighbouring planning or individual promotions to support some limited development subject to material considerations and individual merit.

At Lavant for example the Estate has land interests where a small contribution to housing supply could be made – not necessarily as open market housing, but specific quality housing to meet identified needs. In other villages in-fill development might be appropriate.

**Change suggested by respondent:**

The plan should clarify that a zero figure in Policy H3 does not mean all development opportunities, including windfalls, must be resisted. The zero figure is offered as a strategic guide to housing locations but is not an indication that all forms of housing will be inappropriate.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Tanglewood Residences Limited [7976]

**Agent:** Andrew Black Consulting (Mr Andrew Black, MD) [7597]

**Summary:**

The overall strategy as set out by CDC in the plan is highly dependent on the delivery of housing from Neighbourhood Plan areas. Whilst this approach is not un-sound in itself, it is considered that the plan in its current form allows for little mitigation or alternatives should delivery not come forward in the neighbourhood plan areas. It is considered that in order to be 'effective' and 'positively prepared' the Local Plan should also allocate the sites in Wisborough Green as stand-alone applications with an allowance that applications could come forward on these sites in the event that the Neighbourhood Plans do not progress

**Full text:**

See attached representation.

**Change suggested by respondent:**

In order for the plan to be considered 'positively prepared' and 'justified' it is recommended that additional wording is added to policy H3 to state that individual planning applications can come forward on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first 2 years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans. This is inclusive of the proposed Tanglewood Nursery site at Wisborough Green.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC Regulation 19 - Andrew Black Consulting - obo Tanglewood Residences - March 2023 - Final redacted - <https://chichester.oc2.uk/a/sxb>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Linden/Downland/Graylingwell LLP c/o Countryside Partnerships Southern [7891]

**Agent:** Andrew Burgess Planning Ltd (Mr Andrew Burgess, Managing Director) [7890]

**Summary:**

Land at Graylingwell Hospital (Graylingwell Park) Kingsmead Avenue, Chichester granted outline planning permission for a primary school as part of 14/01018/OUT should be allocated for residential development. West Sussex County Council have confirmed that the school is no longer required. The land is ideally suited to provide additional housing as part of the Graylingwell Park development. The land can accommodate approximately 100 dwellings a split of Market and Affordable Dwellings. Flooding and Drainage issues have been resolved and Flood Modelling has been completed. Only a thin margin of Phase 10 is in the Floodplain. as shown on the attached plan.

**Full text:**

Land at Graylingwell Hospital (Graylingwell Park) Kingsmead Avenue, Chichester granted outline planning permission for a primary school as part of 14/01018/OUT should be allocated for residential development. West Sussex County Council have confirmed that the school is no longer required. The land is ideally suited to provide additional housing as part of the Graylingwell Park development. The land can accommodate approximately 100 dwellings a split of Market and Affordable Dwellings. Flooding and Drainage issues have been resolved and Flood Modelling has been completed. Only a thin margin of Phase 10 is in the Floodplain. as shown on the attached plan.

**Change suggested by respondent:**

The land should be allocated for residential development as requested above. It is a highly sustainable location and can contribute to the Councils housing land supply and boost housing delivery. The land can come forward for development in 2024 and a Full planning application is currently being prepared for submission in Summer 2023. This site can provide housing early in the development plan period.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** 332511153\_4001\_001\_Flood Extents\_02.09.22.pdf - <https://chichester.oc2.uk/a/s76>

Phase 7 and 10 Graylingwell LNDD210825 SKL -01 P4.pdf - <https://chichester.oc2.uk/a/s77>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Landlink Estates Ltd [1764]

**Agent:** Jackson Planning Ltd (Mrs Lisa Jackson, Managing Director) [8130]

**Summary:**

Object on grounds that policy does not include sites in Parishes to seek to meet the Council's OAN where there are acceptable sites capable of accommodating housing to meet those needs; evidence of suitable sites has been provided in HEELA assessment; a reasonable alternative would have been to look at parishes considering allocations in Neighbourhood Development Plans (Hunston) and where planning application are well advanced (North Mundham); reasonable alternative site Charmans Field, Runcton should have been tested in SA.

**Full text:**

See attachments.

**Change suggested by respondent:**

Add additional capacity at North Mundham and Hunston villages:

Hunston – Figure 100

North Mundham Figure 100

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sjr>

1. Redline Site Boundary - <https://chichester.oc2.uk/a/sjs>

3. AL12 Supporting Statement - <https://chichester.oc2.uk/a/sjt>

Email Trail - <https://chichester.oc2.uk/a/sj3>

2. Site Constraints Plan Selsey North - <https://chichester.oc2.uk/a/sj4>

4. Land Use Strategy Plan - <https://chichester.oc2.uk/a/sj5>

5. Framework Master Plan - <https://chichester.oc2.uk/a/sj6>

6. Landscape Statement Part 1 - <https://chichester.oc2.uk/a/sj7>

6a. Landscape Statement Part 2 - <https://chichester.oc2.uk/a/sj8>

8. Archaeological DBA - <https://chichester.oc2.uk/a/sj9>

12. Transport Assessment - <https://chichester.oc2.uk/a/sjv>

13a. Tree Survey N - <https://chichester.oc2.uk/a/sjb>

13b. Tree Survey S - <https://chichester.oc2.uk/a/sjc>

13c. Tree Survey Schedule - <https://chichester.oc2.uk/a/sjd>

14. Soil Resource Survey-Jan 22 - <https://chichester.oc2.uk/a/sjw>

7. Built Heritage Statement - <https://chichester.oc2.uk/a/sjf>

11. Flood Risk Assessment - <https://chichester.oc2.uk/a/sjg>

9. Wintering Bird Survey 2021-22 - <https://chichester.oc2.uk/a/sjh>

10. High Level Eco App - <https://chichester.oc2.uk/a/sjx>

Final Selsey Wintering Bird Survey 2022-23 - <https://chichester.oc2.uk/a/t6f>

Changes to rep summaries - <https://chichester.oc2.uk/a/t6j>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Landowner at Champions Farm, Wisborough Green [8136]

**Agent:** Southern Planning Practice (Alice Drew, Principal Planning Consultant) [8135]

**Summary:**

We are aware that the Wisborough Neighbourhood Plan is in the late stages of its review, a regulation 14 consultation took place in June 2021, however, there has been a long pause since this time. Whilst the Neighbourhood Plan seeks to allocate some sites for housing, the housing need figure is not specified, and the current proposed allocations would not provide the 75 dwellings which have been indicated. Further, it is considered that the Local Plan is being over reliant on the Neighbourhood Plan process, and the Development Plan should make provision for the identified housing requirement without the need to rely on Neighbourhood Plans bringing forward sites.

**Full text:**

Summary

Southern Planning Practice Ltd are instructed by the landowner to submit representations to the Proposed Submission version of the Chichester Local Plan 2021- 2039, published in February 2023. Shorewood Homes, a local developer, have an interest in land at Champions Farm, Wisborough Green and are currently working collaboratively with the landowner.

The site is located to the south of Newpound Lane and to the north of Billingshurst Road (A272) in Wisborough Green. The site is located within the northern area of the district and is closely related to the main urban area of Billingshurst, which is located in the neighbouring authority Horsham District Council.

It is understood that the site has not been previously promoted through the Local Plan process. We can confirm on behalf of our client that the site is now available for development.

In order for the Proposed Submission Local Plan to meet the 'positively prepared' test of soundness as required by paragraph 35 a) of the National Planning Policy Framework (NPPF), the Local Plan Review must:

"provide (ing) a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development".

Whilst the constraints of the northern area of the district are appreciated, there are several sustainable sites, outside of the National Park and other constrained landscapes, which would assist Chichester to meet their identified housing needs. One such site is the land at Champions Farm in Wisborough Green. The western section of the site could be delivered in the short-medium term and the eastern section could be delivered in the longer term which would contribute to Chichester's future housing supply.

Any new residential development on land at Champions Farm would contribute to the achievement of the 7 strategic objectives of the Local Plan and would also help to boost the housing supply in the short-medium term.

**Change suggested by respondent:**

As such, we would encourage the Council to look to allocate the land at Champions Farm for development within the Local Plan, or at least as a development plan document in order to meet the requirements of this Local Plan and deliver the identified 75 homes in Wisborough Green.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Land at Champions Farm - Representations to CDC - <https://chichester.oc2.uk/a/sk7>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Jennifer Asser [6438]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

As the Non-Strategic Parish Housing requirements set out in this policy are based on the dwelling requirement set out in Policy H1 which itself fails to provide for the housing needs of the plan area it has not been positively prepared. In addition it does not take into account the unmet needs of neighbouring authorities or nearby authorities in the same sub-region and as such is not effective. As a result of the inadequacies Policy H3 is not consistent with national policy, and overall it does not comply with the tests of soundness.

**Full text:**

See representations

**Change suggested by respondent:**

When revised dwelling requirement is established for Policy H1, housing figure in Policy H3 for Westbourne should be increased above currently proposed figure of 30 dwellings. Westbourne is a sustainable location for additional development, recognised by allocations in previous Local Plans and more recent housing allocations in 'made' Westbourne Neighbourhood Plan 2021. Less likely to generate traffic movements on the A27 Chichester Bypass.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Policy H1 - <https://chichester.oc2.uk/a/sk8>

Policy H2 - <https://chichester.oc2.uk/a/sk9>

Policy H3 - <https://chichester.oc2.uk/a/sk7>

Policy T1 - <https://chichester.oc2.uk/a/skb>

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr and Mis Butterfield and Waldron [7336]

**Agent:** Rodway Planning Consultancy Ltd (Mr Tim Rodway, Partner) [7335]

**Summary:**

Site submitted - Fourways, Fishbourne. 9 dwellings.

**Full text:**

See attached for full submission.

**Conclusion**

In light of all the above we contend that Site HFB0023 (Fourways) should be reconsidered for allocation for housing development in the Draft Plan. The Site is positively assessed in the HELAA, and is situated adjacent to existing housing and roads. Fishbourne is an area that is clearly suitable for new housing, as acknowledged in the Draft Plan. The Site is previously developed and provides an opportunity for new housing in a sustainable location, without encroaching onto greenfield land.

In this context the natural next step would be to add the Site to the Draft Plan as additional site allocation for residential development.

We put this Site forward with the intention to provide high quality housing in an area with an identified need. We have made it clear in the above representations that the Site is eminently available, sustainably located and can provide much needed new residential units.

The Site is unconstrained by any landscape or other planning designations. The work that has been undertaken, and the conclusions of which clearly identify that the Site is suitable for development.

In our opinion, the Draft Plan should be modified now, so as to allocate our Client's land opportunity at Fourways for residential development, which would make a notable contribution to the minimum amount of housing that Fishbourne is required to accommodate during the Plan period.

Parallel with an allocation, the Settlement Boundary should also be amended so as to encompass the entirety of our Client's land.

**Change suggested by respondent:**

Include site as allocation.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Millwood Designer Homes [7063]

**Agent:** Savills (Laura Eacott, Graduate Planner) [8144]

**Summary:**

See attachment for full comments. Proposes increase of Wisborough Green's number to 125 and allocation of HELAA Site at Land East of St Peter's Church for up to 80 dwellings. Policy should support speculative applications if Neighbourhood Plan does not propose development.

**Full text:**

See attachment.

**Change suggested by respondent:**

CDC should amend Policy H3 to increase Wisborough Green's housing requirement to 'at least' 125 additional homes. Present Policy H3 is ineffective and unjustified.

CDC should amend Policy H3 to increase allocation of new dwellings in Wisborough Green to provide suitable housing buffer and compensate for miscalculation of future housing delivery in emerging WGNP.

CDC should allocate Land East of St Peter's Church (HWG0011) for up to 80 dwellings to ensure that sufficient housing is delivered within earlier part of Plan period.

CDC should amend Policy H3 to remove any ambiguity concerning meaning of 'demonstrable progress' and allocate development sites in Local Plan to ensure their timely delivery.

CDC should amend Policy H3 to include support of speculative applications if a Neighbourhood Plan is not proposing suitable quantities of development.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/skj>

**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Tim Swann [8149]**Summary:**

CDC have not consulted on revised housing numbers in North of the district-it quote the restrictions of the A27 which prevents the southern development however the A281 is a bigger constraint which will also have Dunsfold adding pressure.

Allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood-it a huge Percentage increase and will destroy the village.

**Full text:**

I feel very strongly the local plan is ill thought through and a unbalanced distribution of houses that doesn't reflect the nature of rural villages. Loxwood is a rural village with no public transport links that are usable for the working population, no work opportunities, a serious lack of sewage capacity, no local grocery shop and yet the council deem it suitable for over 312 houses which will give a 50% increase in dwellings and a potential for significantly more as a 'strategic' location-it is completely bonkers. We are not a town!

It is also very disrespectful of the council to ignore our latest neighbourhood plan-we have accepted the national need for additional houses and have spent significant time and funds to produce this. It has completely demoralized the parish council and make a mockery of the whole process.

I have included my comments below why i believe this is not a viable plan for the council.

CDC have not consulted on revised housing numbers in North of the district-it quote the restrictions of the A27 which prevents the southern development however the A281 is a bigger constraint which will also have Dunsfold adding pressure.

Allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood-it a huge Percentage increase and will destroy the village.

CDC Sustainability Appraisal is weak in its justification for allocation of 220 houses

There is no viable bus, lack of sewerage capacity, a village school, shops to support large increase in housing

Policy A15 should be removed and Policies H2 and H3 amended to reflect a realistic allocation of 125 houses which is still generous compared to other local area with better services.

Loxwood should not be deemed to be a strategic location-it is a small rural village

LPC have spent time and effort to create a Revised Neighbourhood Plan which allocates 126 houses plus 17 carried forward from the Made Neighbourhood Plan giving 143 houses. It has reached Regulation 14 consultation stage and is based upon the Preferred Approach Local Plan consultation. The residents of the Parish and Loxwood Parish Council have satisfied themselves through evidence gathered that 126 homes is a sustainable allocation given the constraints that exist-it should not be ignored due to water neutrality issues

This protects the village and the community and reflects the importance of Neighborhood plans for Loxwood and the rest of the country -there is a process and it should be respected otherwise it makes a mockery of the whole planning system and developers win every time.

Please can you protect the rural nature of this county and vote against plan.

**Change suggested by respondent:**

Policy A15 should be removed and Policies H2 and H3 amended to reflect a realistic allocation of 125 houses which is still generous compared to other local area with better services.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Support****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Landowners at Chantry Farm [8165]**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]**Summary:**

The table contained in the policy identifies that 30 additional houses will need to be provided in Westbourne either through a Neighbourhood Plan or subsequent Development Plan Document. Our clients wish to make representations that they support this approach and the proposed housing numbers of 30, with these being increased should supporting evidence be provided.

The clients wish to make the Inspector aware of their considered potential for additional housing on their land, allocated within the Neighbourhood Plan. Furthermore, they consider that any potential shortfall of housing in the Parish could be met by development on their land.

**Full text:**

These representations are made on behalf of our client, the owners of Land at Chantry Farm, Westbourne who wish to support Policy H3 of the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version but object to Policy NE4.

**Background**

The owners have been promoting the land in the plan enclosed at Enclosure 1 at all relevant opportunities. The land hatched in blue is allocated in the Westbourne Neighbourhood Plan for 6 houses, the green land is allocated as local green space and the purple is available for either residential development or nitrate/bio diversity offset land for the proposed residential development on the blue land.

The land has been marketed by ourselves, and a developer is looking to purchase all 3 parcels. They will look to submit an application in the shorter term to illustrate that the development will be delivered in the early part of the plan period,

**Policy H3**

Policy H3 of the Chichester Local Plan relates to the non-strategic parish housing requirements for the plan period. The table contained in the policy identifies that 30 additional houses will need to be provided in Westbourne either through a Neighbourhood Plan or subsequent Development Plan Document. Our clients wish to make representations that they support this approach and the proposed housing numbers of 30, with these being increased should supporting evidence be provided.

The Westbourne Neighbourhood Plan 2017 – 2029 was made by Chichester District Council in September 2021 and allocated 28 houses on 3 separate sites. Our client's land is allocated under Policy SS3 of the Neighbourhood Plan, Land adjacent to Chantry Hall, Foxbury Lane for a development of 6 dwellings.

Our clients support the housing allocation on their land, however the land is able to accommodate far more than 6 dwellings, perhaps up to 20. Our clients wish for the inspector to be aware of the ability to accommodate additional dwellings, should they feel that Westbourne is a sustainable location for numbers in excess of 30 dwellings.

In addition, we would question whether 30 dwellings need to be provided in addition to the 28 allocated in the Neighbourhood Plan as this predates that Proposed Submission Version of the Local Plan. There is currently an application being considered by Chichester District Council for the land allocated under Policy SS1: Land to the West of Monks Hill Lane under ref. WE/22/00209/FUL which we would assume will be approved prior to the Local Plan being adopted. In addition, there is an application under consideration for the land allocated under Policy SS2: Land at Long Copse Lane under ref. 21/02159/FUL which is currently being appealed by the applicant.

It should be noted that the second site mentioned above, land at Long Copse Lane, is allocated in the Neighbourhood Plan for 16 dwellings. However, the application is for just 7, so below the allocation figure. Although, the Land to the West of Monks Lane is 3 dwellings over the allocation, there is potentially a shortfall of housing already in the Parish with the lower numbers consider at Monks Lane. Our clients land is able to accommodate any shortfall.

**Policy NE4**

Policy NE4 states that 'Development proposals within strategic wildlife corridors will only be granted where it can be demonstrated that:

1. There are no sequentially preferable sites available outside the wildlife corridor; and
2. The development will not have an adverse impact on the integrity and function of the wildlife corridor and protects and enhances its features and habitats.'

Part of our client's land is allocated in the Neighbourhood Plan, so we are concerned that location within the Wildlife corridor will restrict development on a site which is deemed suitable by the Parish and District to accommodate housing.

We would ask that the District and Inspector consider this in the examination of the Local Plan, and that the land allocated in the Neighbourhood Plan, for clarity shown in blue at Enclosure 1, be removed from the wildlife corridor and evidence base considered further as this appears to be absence as to justification of location.

In conclusion, our clients support additional housing in Westbourne but would ask these numbers are seen as a minimum figure. Our clients land is deliverable, with solutions to resolve nitrates and biodiversity on site. Also, we would ask that the Wildlife Corridor is amended to exclude our client's land that is allocated.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Supporting representations - <https://chichester.oc2.uk/a/sms>

H3 - <https://chichester.oc2.uk/a/smt>

NE4 - <https://chichester.oc2.uk/a/sm3>

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** The Stickland Family [8166]

**Agent:** Henry Adams LLP (Andrew Thomas) [8167]

**Summary:**

In conclusion, our client supports the proposed housing numbers in Policy H3 for Wisborough Green and that the proposed figure of 75 should be seen as a minimum figure. Our clients will be making the District and the Parish aware of their land being available. This land is also deliverable, with potential solutions on site for bio-diversity and water neutrality.

**Full text:**

Chichester District Council – Reg. 19 Local Plan Consultation – Land to the West of Wisborough Green  
These representations are made on behalf of our client, the Stickland Family who wish to support Policy H3 of the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version.

**Background**

The Stickland Family are local landowners who live and farm in Wisborough Green. They own approximately 48 acres of farmland and buildings to west of the village, along Kirdford Road. Their land hasn't been promoted to either Chichester District Council or Wisborough Green Parish Council previously. However, the site will be submitted for consideration in the next publication of the Housing and Economic Land Availability Assessment (HELAA). In addition, we will be making contact with the Parish Council to ensure that they are aware of its availability.

**Site suitability**

The land comprises a mixture of farmland and buildings which could be redeveloped to meet a local housing need. It is also important to note that, given the nature of the existing use, there could be the potential to offset the resulting water neutrality impact. Ongoing surveys and advice is being taken to confirm feasibility and also capacity.

In addition to this, our Clients recognise that Biodiversity Net Gain is an important consideration going forward. Should part of their landholdings be developed in the future, they do have the ability to provide net gain accordingly. Both of these points should be important considerations should additional housing sites need to be identified through the Neighbourhood Plan Review or subsequent Development Plan Document. This site is available and deliverable and thus would assist with meeting future housing need.

**Policy H3 - support**

Policy H3 of the Chichester Local Plan relates to the non-strategic parish housing requirements for the plan period. The table contained in the policy identifies that 75 additional houses will need to be provided in Wisborough Green either through a Neighbourhood Plan or subsequent Development Plan Document. Our client wishes to make representations that they support this approach and the proposed housing numbers of 75, with these being increased should supporting evidence be provided.

Wisborough Green Parish Council have commenced with their Neighbourhood Plan review and published the Regulation 14 version in June 2021. This version was based on a lower housing number which was previously identified for the Parish through the Local Plan Regulation 18 consultation. Therefore, should the Inspector agree with the proposed housing numbers for Wisborough Green, it is assumed that the Parish will continue with their Neighbourhood Plan with the new housing figure.

Our client would like to confirm that their land could provide residential development in line with policy requirements, so the Inspector should not be concerned that there are no additional deliverable sites in the Parish.

In conclusion, our client supports the proposed housing numbers in Policy H3 for Wisborough Green and that the proposed figure of 75 should be seen as a minimum figure. Our clients will be making the District and the Parish aware of their land being available. This land is also deliverable, with potential solutions on site for bio-diversity and water neutrality

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Supporting Representations.pdf - <https://chichester.oc2.uk/a/sm6>  
Location Plan.pdf - <https://chichester.oc2.uk/a/t69>



**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** The Pick Family [8168]

**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]

**Summary:**

It is therefore our view that the [housing] figure of 535 should be seen as an absolute minimum and other land should be considered to be allocated.

**Full text:**

These representations are made on behalf of our client, the Pick Family who wish to make representations with regards to the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version.

**Background**

The Pick Family are local landowners who live and farm in Birdham. They own approximately 15 acres of farmland to the west of Birdham which is edged blue on the plan at Enclosure 1. The land has been promoted at all relevant opportunities to Chichester District Council but they wish to confirm to Chichester District Council and the Inspector that the land is available for development should they consider Birdham as an area for growth.

**Site suitability**

Our client's have split their landholding previously, as they appreciate that development of the whole would increase the size of Birdham significantly. However, our client's front parcel, edged red at Enclosure 2, is well enclosed and views into the site from the AONB are limited. There is a significant hedgerow on its western boundary, screening any potential residential development in this parcel.

This portion of the landholding is approximately 1.05 hectares in size and it is our opinion that a development of 25 units could be achieved at this site. Due to the site constraints, the developer would have to ensure that the scheme is designed sensitively, taking into consideration the Area of Outstanding Natural Beauty. However, this is not considered to constrain development overall on the site and therefore, the site should be considered sustainable in taking account of the three dimensions for sustainability set out in the NPPF.

Due to our client having a wider landholding, if the Council or the Inspector felt it necessary to allocate the site, our client would be able to offset any nitrate or biodiversity impacts from the front parcel onto his retained land. This illustrates that the site is deliverable.

**Policy S1 & H1**

Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the Transport Study (2023) concludes that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that our clients do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesigned and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

It is therefore our view that the figure of 535 should be seen as an absolute minimum and other land should be considered to be allocated.

We trust our comments will be considered as part of the Local Plan review, and please do not hesitate to make contact if you require anything further

**Change suggested by respondent:**

[Consideration of omission site - 15 acres farmland to the west of Birdham]

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Supporting Representations - <https://chichester.oc2.uk/a/smk>

Form H1 - <https://chichester.oc2.uk/a/smz>

Form S1 - <https://chichester.oc2.uk/a/smm>

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Mr & Mrs Bell [7354]

**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]

**Summary:**

The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesignated and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts. It is therefore our view that the figure of 535 should be seen as an absolute minimum and other land should be considered to be allocated.

**Full text:**

These representations are made on behalf of our client, the Bell Family who wish make representations to the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version.

**Background**

Our clients own approximately 37.8 acres of farmland to the west of Stoney Meadow which is edged red at Appendix 1. The land has been promoted at all relevant opportunities to Chichester District Council and North Mundham Parish Council but they wish to confirm to Chichester District Council and the Inspector that the land is available for development should they consider North Mundham as an area for growth.

**Site suitability**

The North Mundham Settlement Policy Boundary is being amended to now include the development at Oakdene Gardens and Stoney Meadow to the east. As mentioned, Henry Adams have promoted the land on behalf of the landowners at all opportunities and the most recent HELAA suggested that the land is developable for 225 units under ref. HNM0019 subject to further detail relating to access, drainage, landscape and archaeology.

The site is split into 3 distinct sections by tree belts, which enables phasing of the land should the whole of it not be developed. There is also defined landscape boundaries on all sides, restricting views into the site. The land has no significant natural constraints other than being in the Chichester and Pagham Harbours SPA buffer zones. To the east of the site on School Lane is a Grade II Listed Building and to the north east is an area of woodland, covered by a Tree Preservation Order (Local Planning Authority reference 70/00730/TPO).

**Policy S1 & H1**

Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the Transport Study (2023) concludes that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that our clients do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesignated and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts. It is therefore our view that the figure of 535 should be seen as an absolute minimum and other land should be considered to be allocated.

**Change suggested by respondent:**

Allocate additional land. Site submission - Land to the West of Stoney Meadow, North Mundham. 225 dwellings.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:**

**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** The Birkett Family [8175]**Agent:** Henry Adams LLP (Mr Chris Locke, Planning and Development Assistant) [7352]**Summary:**

Policy H3 does not allocate any additional housing to Tangmere Parish other than the Strategic Development Location. It is considered that along with the strategic development to the West, that our client's land to the East of Tangmere can provide additional housing in Tangmere.

**Full text:**

These representations are made on behalf of our client, the Birkett Family and the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 Version.

**Background**

The Birkett Family are local landowners who live in Easthampnett. They own approximately 44 acres of farmland to the west of Easthampnett which is edged red at Enclosure 1. The land has been promoted intermittently to Chichester District Council but they wish to confirm to Chichester District Council and the Inspector that the land is available for development should they consider Tangmere as an area for additional growth.

**Site suitability**

The land comprises farmland which could be redeveloped to meet a local housing need. Although limited work has been undertaken to date, the landowner is in the process of negotiating to enter into an agreement with a developer / promoter to promote the land to Chichester District Council to ensure it is deliverable.

Therefore, in time and at the request of the Council or Inspector, additional reports and surveys could be provided to support any future housing allocation. However, a highways appraisal has been undertaken, and access to the site is achievable and this can be provided at request.

**Soundness**

Policy H2 of the Chichester Local Plan allocates 1,300 dwellings at the Tangmere Strategic Development Location. This site has an outline permission and is subject to a Compulsory Purchase Order. For clarity, our client does not object to this allocation, but supports it as it shows that Tangmere is a location that can be seen to grow.

Policy H3 does not allocate any additional housing to Tangmere Parish other than the Strategic Development Location. It is considered that along with the strategic development to the West, that our client's land to the East of Tangmere can provide additional housing in Tangmere.

We trust our comments will be considered as part of the Local Plan review, and please do not hesitate to make contact if you require anything further.

**Change suggested by respondent:**

Promoted land to the East of Tangmere can provide additional housing in Tangmere.

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** No**Attachments:** Supporting representations - <https://chichester.oc2.uk/a/sn9>  
Form redacted - <https://chichester.oc2.uk/a/snv>**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Metis Homes [1602]**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]**Summary:**

Whilst the Facilities Audit (2018) that informed the settlement hierarchy is out-of-date, it scores the settlement of Westbourne higher than Loxwood and does not take account of the fact that Westbourne is within cycle distance of both Southbourne and Emsworth (Havant Borough) train stations. Despite its comparatively higher sustainability credentials, Westbourne has an allocation of only 30 dwellings. This allocation is based on a flawed Spatial Strategy and as such it is not properly 'justified'. Consequently, the draft Plan is unsound.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>  
Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Beechcroft Developments Limited [8188]**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]**Summary:**

An increased dwelling requirement could be accommodated without the need to significantly alter the proposed spatial strategy. Additional development could be accommodated at less constrained Service Villages in northern parts of Manhood Peninsula. Not all of Manhood Peninsula is affected by challenges. Hunston is relatively unconstrained compared to other parts of Manhood Peninsula. Hunston has good accessibility to road network. Additional development at Hunston would be consistent with Policy T1. Hunston has been, and continues to be, a sustainable location for new development. Previous work on emerging Local Plan and now withdrawn Neighbourhood Plan demonstrate that it is capable of delivering at least 200 homes during Plan period. Site promoted at Land at Hunston Village Dairy.

**Full text:**

See attachments.

**Change suggested by respondent:**

Make a strategic scale allocation as part of Policy H2; set a housing figure of at least 200 homes for Hunston in Policy H3 which could be delivered as part of Neighbourhood Plan process.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp5>Appendix 1 - Representations on Housing Requirement and Supply - <https://chichester.oc2.uk/a/sp6>Appendix 2 - Statement of Representations - A27 Mitigation Contributions - <https://chichester.oc2.uk/a/sp7>**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Kirdford Parish Council [1875]**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]**Summary:**

Define small-scale housing; clarify that making 'provision' is not the same as making 'allocations' ie; some housing can be expected from windfall sites; paragraph 5.10 not reflected in policy.

**Full text:**

See attachment.

**Change suggested by respondent:**

Define small-scale housing; clarify that making 'provision' is not the same as making 'allocations' ie; some housing can be expected from windfall sites;

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039**Respondent:** Southcott Homes Limited (Mr Andy Southcott) [8190]**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]**Summary:**

As the Non-Strategic Parish Housing requirements set out in this policy are based on the dwelling requirement set out in Policy H1 which itself fails to provide for the housing needs of the plan area it has not been positively prepared. In addition it does not take into account the unmet needs of neighbouring authorities or nearby authorities in the same sub-region and as such is not effective. As a result of the inadequacies Policy H3 is not consistent with national policy, and overall it does not comply with the tests of soundness.

**Full text:**

See attached response forms.

**Change suggested by respondent:**

When the revised dwelling requirement is established for Policy H1, the housing figure in Policy H3 for Westbourne should be increased above the currently proposed figure of 30 dwellings.

Westbourne is one of 17 service villages within the plan area with a good range of local services and facilities. As such it is a sustainable location for additional development. This is recognised by allocations in previous Local Plans and more recent housing allocations in the 'made' Westbourne Neighbourhood Plan 2021. It is also located close to the western fringe of the district and is therefore less likely to generate traffic movements on the A27 Chichester Bypass.

My clients land at The Shires, Long Copse Lane, Westbourne which is edged red on the plan in the attached response form would make an ideal housing allocation for up to 7 dwellings.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** Rep form H3 - <https://chichester.oc2.uk/a/spb>

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** The Bramley Family [8087]

**Agent:** PowerHaus Consultancy (Ms Harriet Young, Planner) [8083]

**Summary:**

Given evidence published in HELAA, number of dwellings identified for Fishbourne should be amended. Development of site at Clay Lane would result in sustainable infill of otherwise vacant site and would introduce appropriate uses within the area, including delivering a supply of high-quality residential units in a highly accessible location. Development of the site would not result in unacceptable adverse impacts on highways network and development could be achieved alongside wildlife corridor.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Given the HELAA identifies developable land in Fishbourne to deliver approximately 215 dwellings, the number of dwellings allocated to Fishbourne under Policy H3 should be amended from 30 dwellings to 250 as identified in draft Policy AL9 of the Regulation 18 Local Plan. Sites promoted at Clay Lane.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Reg 19 Consultation Response - <https://chichester.oc2.uk/a/spk>

Clay Lane Motivational Document - <https://chichester.oc2.uk/a/spz>

Transport Site Accessibility Review - <https://chichester.oc2.uk/a/spm>

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Westbourne Parish Council (Clare Kennett Parish Clerk) [1051]

**Summary:**

[RECEIVED LATE] - Westbourne is identified as a Service Village and there is a given allocation for new development of 30 dwellings. In general terms this seems like a reasonable level of new growth that can be accommodated. However, the plan recognises that in the general area the scope for new development between the National Park boundary and the A27 is limited outside of Southbourne due to physical and environmental constraints. Given these limited opportunities to find land for new development around the village, which was confirmed in the Neighbourhood Planning process recently completed, the scope for Westbourne to take further development is very limited. The Parish Council would urge the District Council to see this quantity of 30 as a maximum target. We would ask the District Council to confirm that it would not suggest a new strategic development being brought forward in the allocations plan for Westbourne as the constraints of the National Park setting and other countryside policies severely limit the scope for further development.

**Full text:**

The Parish Council supports the vision and overall strategic objectives of the Local Plan 2021-2039.

**Spatial strategy:**

Westbourne is identified as a Service Village and there is a given allocation for new development of 30 dwellings. In general terms this seems like a reasonable level of new growth that can be accommodated. However, the plan recognises that in the general area the scope for new development between the National Park boundary and the A27 is limited outside of Southbourne due to physical and environmental constraints. Given these limited opportunities to find land for new development around the village, which was confirmed in the Neighbourhood Planning process recently completed, the scope for Westbourne to take further development is very limited. The Parish Council would urge the District Council to see this quantity of 30 as a maximum target. We would ask the District Council to confirm that it would not suggest a new strategic development being brought forward in the allocations plan for Westbourne as the constraints of the National Park setting and other countryside policies severely limit the scope for further development.

**Policy H4, affordable housing policy:**

The existing policy only requires on-site provision of affordable housing for 10 or more dwellings. The proposed changes to require commuted sum payments in defined rural areas on sites for between six to nine dwellings is supported. However, this as drafted currently excludes Westbourne. Westbourne Parish Council would urge the District Council to ensure that this policy applies to Westbourne as it has limited opportunity for larger sites which makes it difficult to bring forward affordable housing and there is a clear need for more affordable housing in the Parish.

**Policies H12 and H13:**

The Plan indicates that there is a high level of unmet need generally for Gypsy's Travellers and Show People. The high levels of existing and unauthorised pitches in Westbourne is also mentioned in the Plan. The neighbouring parish of Southbourne is also mentioned as a location with high levels of pitches and unmet need. The relevant extract on the approach to meeting this need is as follows. "the council has had to utilise a wide range of options for meeting this need. This entails providing pitches on the strategic housing allocation sites, supporting increases in the density of pitches on existing authorised sites which have been assessed as being acceptable in principle for additional pitches, and allowing pitches to come forward on a case-by-case basis. The council will also consider allocating additional pitches via the forthcoming Allocations DPD."

Westbourne Parish Council is concerned to avoid intensification of the authorised and unauthorised Gypsy and Traveller and Showman's Pitches located within the Parish. Westbourne already has one of the highest concentrations of such uses anywhere in the District and further intensification will have an adverse impact on the balanced and cohesive community that we seek to protect. We would argue that other locations with lower intensities of such use should be sought to meet this need.

The site in Cemetery Lane at Greenacre is identified as a location for an additional four pitches. There have been many enforcement issues in this area with unauthorised pitches and unauthorised industrial and commercial development, and further increases in the quantity of pitches will exacerbate the situation to the detriment of the balanced and cohesive community that the Parish Council seeks to protect and enhance.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Peter Thompson [8200]

**Summary:**

[RECEIVED LATE]

Objection to proposed housing development within Kirdford.

States fewer permissions should be granted for large scale housing in small villages.

Examples given of objection to proposed 70 dwelling Townfield Meadows development considered inappropriate for location (former agricultural land), private (non-rental) housing not addressing local need, lack of supporting infrastructure. Also objection to proposed 54 dwellings within Plaistow Road. Represent potential to increase village size by 55% - out of proportion to local need and surrounding landscape.

Inconsistent with Kirdford Neighbourhood Plan (12 dwellings on Townfield site).

**Full text:**

I am alarmed that the new Chichester District Local Plan - finishing its' public consultation stage today - has increased the number of houses in Loxwood ward by 50 extra in KIRDFFORD. I believe we should be VERY MUCH restricting new housing development on greenfield sites [as does Michael Gove, I believe, from his statements in the press in 2022].

We should have FEWER PERMISSIONS GRANTED for large scale housing developments in small villages than is currently the case, and obviously this element of the proposed CDLP works against this.

In KIRDFFORD, we are fighting a proposed 70 house build on Townfield Meadows . . . inappropriate locality on previously fairly recently purposed agricultural land; quantity of private (non-rent) housing not required for local need; lack of local infrastructure; etc. Currently we see the commencement of building works on previous agricultural / green field space in Plaistow Road, Kirdford [Pippins Field] - where there will be a largely uncalled for development of 54 homes. We have already protested that if the proposals for 70 new homes were to come to fruition south of Townfield in Kirdford, it would 'see our village grow by 55 per cent.'

I understand the updated Kirdford Neighbourhood Plan states only 12 houses could be built on part of the Townfield former agricultural / greenfield site over the plan's lifespan; the proposed allocation of 50 in Kirdford in the new CDLP would be completely out of proportion to both village need and the immediate surrounding country landscape.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Pauline Hammett [8207]

**Summary:**

[RECEIVED LATE]

Objection to further development within Loxwood on grounds of lack of supporting infrastructure, including shops and services, sustainable transport, and sewage facilities.

**Full text:**

[RECEIVED LATE]

I am objecting to further development in the village at Loxwood. Your system for correctly making objections is too complicated to follow so I am hoping this e mail will be submitted as an objection.

Our sewerage system is not suitable and will not accommodate more dwellings, our infrastructure is not adequate to sustain a larger population.

We do not have a shop or post office, there are no buses running regularly, our bus stop is being used as a car park.

It is impossible to get an appointment at our doctor's surgery.

I am objecting to all developments which has been tabled for Loxwood and any future development which may be applied for.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Dr and Mrs P Longthorne [8208]

**Summary:**

[RECEIVED LATE]

Comments relate to Loxwood, Kirdford and Plaistow

We would like to add our concerns regarding the additional housing which has been allocated to this area. Enlarging these beautiful villages will significantly alter the character of the local area. There is almost no public transport to these villages and the surgery at Loxwood is already under pressure. The environmental impact of building more houses in an area of natural beauty would also be significant. It is not clear how much consideration has been given to infrastructure requirements - schools, employment, transport.

Once these beautiful villages are expanded and developed there is no going back and they are lost forever along with the attendant reduction in quality of life for the people who live there.

**Full text:**

[RECEIVED LATE]

We have been unable to access the consultation form online but we understand that we can send our comments via this email address.

We would like to add our concerns regarding the additional housing which has been allocated to this area. Enlarging these beautiful villages will significantly alter the character of the local area. There is almost no public transport to these villages and the surgery at Loxwood is already under pressure. The environmental impact of building more houses in an area of natural beauty would also be significant. It is not clear how much consideration has been given to infrastructure requirements - schools, employment, transport.

Once these beautiful villages are expanded and developed there is no going back and they are lost forever along with the attendant reduction in quality of life for the people who live there.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Aaron Beadle [8209]

**Summary:**

[RECEIVED LATE]

Object to figures in North of the Plan area on grounds of:

- ecological impact;
- traffic / limited transport links
- limited existing supporting infrastructure
- water supply and neutrality issue

**Full text:**

[RECEIVED LATE]

I object to the quantity of properties proposed in the Local Plan on the following grounds:

**Ecological impact:**

The increased noise, light pollution and traffic will impact negatively on the biodiversity of the area as fragile local animal habitats are destroyed. Rare species of bats, barn owls, deer, butterflies, badgers and countless other animals benefit from the rural environment. Once this tranquil location is disturbed the ecology of the area will suffer beyond repair.

**Traffic:**

Loxwood district and the surrounding roads are very quiet with many farms and stables in the immediate vicinity. Horse riders, dog walkers, hikers and cyclists frequent this location and the additional traffic associated with the provision of the proposed number of properties would severely impact upon this beautiful rural area, and the safety of its residents.

Due to the rural location there is very limited public transport in this area meaning that new residents in the proposed developments will need to travel in private vehicles.

**Infrastructure:**

Existing residents are struggling to obtain medical appointments and to secure school places already without exacerbating these issues by increasing the permanent population.

There are also the concerns around water neutrality and the depletion of this valuable resource. This Northern more rural parts of the district are struggling with this already without increasing the strain by the addition of further developments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039

**Respondent:** Peter Tait [7237]

**Summary:**

[RECEIVED LATE]

Objection to proposed development within Loxwood of grounds of:

- insufficient supporting infrastructure including:
  - i) water and sewage;
  - ii) services including shop, school and medical practice;
  - ii) issue of power supply
- Impact on landscape and flood risk
- Impact on natural environment
- Lack of consideration of Neighbourhood Plan

**Full text:**

[RECEIVED LATE]

I would like to register my strong objections to the Local Plan published on 3rd February last, which sets out proposals to develop 220 new homes in Loxwood in addition to the 91 that are under development.

My principle cause for concern about these plans are that it is already demonstrably clear that the infrastructure in Loxwood cannot adequately support the existing developments, let alone this proposal, which contains no mention of any attempts to improve it.

This includes but is not limited to:-

**Water & Sewerage:** Southern Water have admitted that the capacity in Loxwood is insufficient to deal with even current demand and has no plans to increase it.

I have personally experienced sewage backflow on my property on a number of occasions in the last twelve months, which has been rectified recently by the fitting of a valve system which shifts the problem elsewhere. Furthermore, the "workarounds" in place for recent housing developments lead to unpleasant odours and risk of discharge into the water courses.

**Services:** Loxwood has no village shop, its school and medical practice are at capacity and there is negligible public transport serving the village. Over development is placing a strain on the electrical grid supply leading to instances of power disruption.

**Landscape and flood risk:** The conversion of the significant amount of land involved with this proposal from fields to housing plots will add further pressure from rain water flow on the capacity of the River Lox and Loxwood stream, thereby increasing the risk of flooding to many properties (including my own) in the village.

The proposals dig deep into the natural environment that defines the character of the village and its surroundings with footpaths, vistas and natural habitats permanently degraded as a consequence.

Loxwood PC developed a Neighbourhood Plan in 2018 which was revised in 2020; this seems to have been ignored completely by CDC despite central government encouragement of such plans. It appears that CDC's desire to focus more housing development in the North of its district is leading to draconian disregard for the considered views of local residents reflected in the Neighbourhood Plan.

I ask that you take my points into consideration when this Local Plan Proposal is refined further.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039, 5.9

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

Policy A11 has received a large number of objections from people living in Bosham and was the least favoured proposed site when the neighbourhood plan was written. Policy S2 has not been followed to allocate the site proposed in Policy A11 because it is fully outside of the settlement boundary and is therefore countryside and should be protected. The Bosham Association represents the views of its 400 members who are all opposed to Policy A11. There were hundreds of objections to the planning permission application and several people attended the planning committee meeting when permission was being considered.

**Full text:**

Policy A11 has received a large number of objections from people living in Bosham and was the least favoured proposed site when the neighbourhood plan was written. Policy S2 has not been followed to allocate the site proposed in Policy A11 because it is fully outside of the settlement boundary and is therefore countryside and should be protected. The Bosham Association represents the views of its 400 members who are all opposed to Policy A11. There were hundreds of objections to the planning permission application and several people attended the planning committee meeting when permission was being considered.

**Change suggested by respondent:**

Policy A11 should be removed from the plan.

Other sites where Policy S2 has not been followed because the land proposed is outside of the settlement boundaries should be reviewed and removed from the plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039, 5.10

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Housing developments of any size should be counted against parish allocations. There is no justification for not doing so.

**Full text:**

Housing developments of any size should be counted against parish allocations. There is no justification for not doing so.

**Change suggested by respondent:**

Include all size of developments against the housing allocation number.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039, 5.10

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement with qualification

In a rural village with limited land availability, developments of fewer than 6 dwellings should count towards allocated housing totals; developments of this size are more easily integrated into a village.

It is essential to delegate to the NP process the ability to make minor amendments to the H3 policy numbers.

**Full text:**

WGPC supports this statement with qualification

In a rural village with limited land availability, developments of fewer than 6 dwellings should count towards allocated housing totals; developments of this size are more easily integrated into a village.

It is essential to delegate to the NP process the ability to make minor amendments to the H3 policy numbers.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object****Document Element:** Policy H3 Non-Strategic Parish Housing Requirements 2021 - 2039, 5.10**Respondent:** Kirdford Parish Council [1875]**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]**Summary:**

Text should clarify process/mechanism for “some flexibility for minor amendments to housing numbers for individual parishes”; what is meant by ‘flexibility’ and ‘minor amendments’? Does this text mean to say ‘neighbourhood areas’ rather than ‘individual parishes’?

Disagree with text that proposes development of less than 6 dwellings not counting against ‘parish housing requirement’ due to these already being taken into account as windfall allowance from small sites - see attachment for reasoning; Paragraph contravenes NPPF Paragraph 70 which states that neighbourhood planning groups should consider opportunities for small and medium sites rather than reject them as CDC is suggesting;

**Full text:**

See attachment.

**Change suggested by respondent:**

Text should clarify process/mechanism for “some flexibility for minor amendments to housing numbers for individual parishes”; Policy should clarify what is meant by ‘draft neighbourhood plan’; define ‘demonstrable progress’.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>**Object****Document Element:** Longer Term Growth Requirements, 5.11**Respondent:** Northgate Properties Ltd [8108]**Agent:** Smith Simmons Partners (Paul White) [7650]**Summary:**

We agree that a new settlement would have a valuable role to play in meeting future housing need of the district and support the lower-case policy text of the Plan at paragraphs 5.11-14. However, bearing in mind the national policy guidance for a 30 year or so vision to allow for the planning and site identification for a new settlement, we see no reason why that part of the lower-case text at paragraph 5.14 of the Regulation 19 Plan should not be elevated into actual Plan policy.

This would offer a ‘land supply reserve’ in the event the Examiner for the Local Plan finds that it should meet OAN in accordance with the ‘positively prepared’ test. If a new settlement is needed to contribute to OAN, it would then form part of the development strategy of the Plan and justify the policy in principle.

**Full text:**

The ‘tests of soundness’ for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
  - Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
  - Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.
- Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. A question could be raised over the legality of the Regulation 19 Plan as it has not been reviewed within 5 years of the last Plan, which was adopted in July 2015. On the Council’s own admission the current Regulation 19 Local Plan fails to meet objectively assessed need (OAN) of 638 dpa outside the national park. However, without any properly evidenced ‘duty to cooperate’ statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

We support the local authority in its attempts to navigate what is a challenging situation in relation to housing delivery within the district, however at this stage we believe the Plan, as drafted, fails to meet the ‘positively prepared’, ‘effective’, and ‘consistent with national policy’ tests and therefore could be interpreted as unsound.

In a bid to assist the process, we have collated our thoughts on how the Regulation 19 Local Plan could be improved below.

**Local Plan Policies**

These comments deal with the proposed Spatial Strategy (Policy S1) Settlement Hierarchy (S2), policies H1, H2 H3 and NE4. We also propose a new policy H4.

**Policy S1- Spatial Strategy**

Policy S1 deals with the spatial strategy of the plan. It has been informed by the role of each settlement within a hierarchy based on its facilities and services.

We agree that the spatial strategy for delivering growth and development should focus on Chichester city as the main sub-regional centre and most sustainable location with a wide range of services and facilities. However, there are self-evident constraints to further strategic scale development at the settlement itself because of its historic setting, the A27 to the south and east, the harbour AONB to the west and the national park in the north. Focusing growth close to the city would however still reinforce its role as a sub-regional centre and locating a significant proportion of development in or around Chichester city ahead of the second tier settlement hubs would reduce the need to travel to facilities and deliver sustainable development.

**Policy S2 – Settlement Hierarchy**

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

**Policy H1 – Meeting Housing Needs**

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

As indicated earlier, without any properly evidenced 'duty to cooperate' statement of common ground with neighbouring authorities, it is unclear whether this under provision is justified.

**Policy H2 – Strategic Site Allocations and Policy H3 – Non-Strategic Parish Allocations**

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

**Longer Term Growth Requirements**

Paragraph 22 of the NPPF says strategic policies should look ahead over a minimum 15-year period from the date of the adoption of a plan to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. This justifies the proposed end date of the Plan of 2039. However, the NPPF goes on to state that where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.

Paragraphs 5.11-5.14 of the draft Plan says although its focus is on the development needs of the plan area up to 2039, some initial consideration has been given to the concept of a new settlement to accommodate potential longer term growth needs. This arises from some reservations about whether it will be appropriate in the longer term to continue to rely on existing sources of supply (e.g. urban extensions and urban intensification).

We agree that a new settlement would have a valuable role to play in meeting future housing need of the district and support the lower-case policy text of the Plan at paragraphs 5.11-14. However, bearing in mind the national policy guidance for a 30 year or so vision to allow for the planning and site identification for a new settlement, we see no reason why that part of the lower-case text at paragraph 5.14 of the Regulation 19 Plan should not be elevated into actual Plan policy. Such an approach would deliver benefits to the plan anyway in offering a 'land supply reserve' in the event the Examiner for the Local Plan finds that it should meet OAN in accordance with the 'positively prepared' test. If a new settlement is needed to contribute to OAN, it would then form part of the development strategy of the Plan and justify the policy in principle.

We therefore propose a new Policy H4 – A New Settlement as set out in section 6 below.

**Policy NE4 – Strategic Wildlife Corridors**

The Council produced a Strategic Wildlife Corridor background paper in December 2018 and another technical consultation document in July 2021. Neither document has been updated for the present Regulation 19 Local Plan. It is unclear therefore whether the ecological interest has changed and whether it can still inform the extent and location of the defined wildlife corridors in the current Plan. We say this on the basis that standard habitat surveys are usually required to be reviewed and updated after 18 months.

Paragraph 179(a) of the NPPF sets out policy to protect and enhance biodiversity and geodiversity and states that Plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national, and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them.

We therefore agree that the identification of wildlife corridors in the emerging Plan is consistent with national policy but without any up to date proportionate evidence of biodiversity interest we would question whether their extent and location as shown on the relevant proposals maps have been justified.

As it stands, the wording of Policy NE4 also goes beyond the purpose of the policy which is the 'safeguarding of wildlife rich habitats and wider ecological networks'.

Policy NE4 states development will only be permitted where it would not lead to an adverse effect upon the ecological value, function, integrity, and connectivity of the strategic wildlife corridors. It does not resist development in principle and so long as impacts can be adequately mitigated it should be granted.

This policy principle therefore makes redundant policy test 1 which introduces a sequential test for preferable sites outside a corridor. The test is in conflict with the underlying purpose of the policy which is to safeguard wildlife corridors from adverse harmful impacts that cannot be mitigated. Test 1 should therefore be deleted.

Development outside or in close proximity to a wildlife corridor should not be subject to the policy requirements of NE4 either and the designation should end at its boundary. 'Close proximity' is vague and would introduce uncertainty to the policy. If development does not undermine the connectivity and ecological value of the corridor, then there is no proper basis for the policy restriction on such development. We therefore propose the deletion of the second part of the policy as well.

**Change suggested by respondent:**

We feel it would be prudent when considering the long term nature of such proposals to include a new policy to allow for the planning and site identification for a new settlement, using part of the lower-case text at paragraph 5.14 of the Regulation 19 Plan as actual Plan policy. Such an approach would deliver benefits to the plan anyway in offering a 'land supply reserve' in the event the Examiner for the Local Plan finds that it should meet OAN in accordance with the 'positively prepared' test.

**New Policy H4 – A New Settlement**

'In order to progress the identification of a site for a new settlement to contribute to housing need, the following considerations will guide potential discussions with the LPA. The selected site will be included in the Site Allocations DPD or a site-specific Development Brief.

- The site will be of sufficient scale to support potential long-term development needs arising and comprehensively planned in consultation with existing communities and key stakeholders;
- Deliver a sustainable, inclusive, and cohesive community promoting self-sufficiency and with high levels of sustainable transport connectivity;
- Allow for the inclusion of on-site measures to avoid and mitigate any significant adverse impacts on any protected habitats;
- Provide a mix of uses to meet longer term development needs and contribute towards its distinctive identity; and
- The layout and form of development avoids coalescence with existing settlements and does not undermine their separate identity;
- Avoids harm to the designated Area of Outstanding Natural Beauty, respects the historic and landscape character, and conserves and where possible enhances the character, significance and setting of heritage assets.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Northgate Final - <https://chichester.oc2.uk/a/sf9>

## Object

**Document Element:** Longer Term Growth Requirements, 5.11

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The recognition of longer-term growth requirements is welcomed although it should be stated that there exist significant material constraints that are unlikely to be removed through subsequent plans, but are not identified. These constraints should be identified now to provide confidence for investment going forward, and to local communities. A review of the plan could be in as little as 5 years. For example, areas designated for open green or blue space and well used, key view lines, or areas preventing coalescence, should have a degree of permanency attached, to offer a presumption against their early release in subsequent plans.

**Full text:**

The recognition of longer-term growth requirements is welcomed although it should be stated that there exist significant material constraints that are unlikely to be removed through subsequent plans, but are not identified. These constraints should be identified now to provide confidence for investment going forward, and to local communities. A review of the plan could be in as little as 5 years. For example, areas designated for open green or blue space and well used, key view lines, or areas preventing coalescence, should have a degree of permanency attached, to offer a presumption against their early release in subsequent plans.

**Change suggested by respondent:**

Long term environmental, economic and social constraints to development, should be identified and protected through policies that can be rolled-forward through subsequent reviews of the local plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Longer Term Growth Requirements, 5.12

**Respondent:** John Newman [8169]

**Summary:**

I agree with this paragraph.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sjg>

## Support

**Document Element:** Longer Term Growth Requirements, 5.12

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Supporting collaborative working.] National Highways welcomes the opportunity to work with you to monitor future population, household growth, commuting patterns and any excessive incommuting as part of the update of this Local Plan within the next five years.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queuing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style.
  - o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

"Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the

operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and

governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

Support

**Document Element:** Background, 5.15

**Respondent:** John Newman [8169]

**Summary:**

I am very pleased to see this paragraph included and hope that it really will mean appropriate action.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sgj>

Support

**Document Element:** Background, 5.16

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement.

**Full text:**

WGPC supports this statement.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

Object

**Document Element:** Background, 5.17

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

This cannot be achieved through the mix of housing as set out in H4. Less than half of this identified need will be met. The Council should be aspiring to meet this need to enable people to afford homes. The vision as described will not be reached unless it is.

**Full text:**

This cannot be achieved through the mix of housing as set out in H4. Less than half of this identified need will be met. The Council should be aspiring to meet this need to enable people to afford homes. The vision as described will not be reached unless it is.

**Change suggested by respondent:**

Change the tenure mix so the identified need is met.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None



## Support

**Document Element:** Background, 5.18

**Respondent:** John Newman [8169]

**Summary:**

I fully agree.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports the provision of affordable housing for the North of the Plan area.

**Full text:**

WGPC supports the provision of affordable housing for the North of the Plan area.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Inadequate

By your own metric you are missing the target of need of 200 homes pa. identified in the HEDNA. The affordable/ social rented element would result in only 93 homes pa.

This would have been an opportunity for CDC to transform housing for low income families/ single people by taking out loans to build up and replace social housing stock which would more than pay for itself. Housing for low income families should not be left to the vagaries of the market.

**Full text:**

Inadequate

By your own metric you are missing the target of need of 200 homes pa. identified in the HEDNA. The affordable/ social rented element would result in only 93 homes pa.

This would have been an opportunity for CDC to transform housing for low income families/ single people by taking out loans to build up and replace social housing stock which would more than pay for itself. Housing for low income families should not be left to the vagaries of the market.

**Change suggested by respondent:**

A commitment to ensure that the 200 homes pa are built.

That the Council will seek to investigate building housing stock of their own within the Government guidelines.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Why is there a more generous % of affordable homes in the North of the District than the South? Housing in the South is very expensive and dominated by high value larger properties.

This is clearly an inadequate number of social and affordable rented properties that will not meet the need of 200pa as identified in the HEDNA 2022.

Of the annual figure of 535, 160 homes will be affordable. Of that 91 will be for social and affordable rent. This is less than half the number required.

This policy will only serve to increase the gap between market housing and affordable and will result in fewer people being able to afford a home.

**Full text:**

Why is there a more generous % of affordable homes in the North of the District than the South? Housing in the South is very expensive and dominated by high value larger properties.

This is clearly an inadequate number of social and affordable rented properties that will not meet the need of 200pa as identified in the HEDNA 2022.

Of the annual figure of 535, 160 homes will be affordable. Of that 91 will be for social and affordable rent. This is less than half the number required.

This policy will only serve to increase the gap between market housing and affordable and will result in fewer people being able to afford a home.

**Change suggested by respondent:**

The tenure mix changed to allow for 200 affordable and social rented homes pa.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H4 Affordable Housing

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The local plan should lead the provision of affordable housing through specific policy requirements that reflect local need and ensure delivery on suitably located sites. Consequently the plan should introduce additional local Policies to clearly identify the need for affordable housing on most sites, to limit the ability of developers to challenge affordable housing provision through generic viability statements, or allow a default position of contributions towards developments elsewhere.

**Full text:**

The local plan should lead the provision of affordable housing through specific policy requirements that reflect local need and ensure delivery on suitably located sites. Consequently the plan should introduce additional local Policies to clearly identify the need for affordable housing on most sites, to limit the ability of developers to challenge affordable housing provision through generic viability statements, or allow a default position of contributions towards developments elsewhere. The plan's primacy should identify sites (or parts of sites) best located to meet identifiable need for affordable housing and require a demonstration of delivery.

**Change suggested by respondent:**

The plan's primacy should identify sites (or parts of sites) best located to meet identifiable need for affordable housing and require a demonstration of delivery.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** L.CDC LP Rep 1 Jan 2023 REDACTED - <https://chichester.oc2.uk/a/sgs>

**Object****Document Element:** Policy H4 Affordable Housing**Respondent:** Ms Meghan Rossiter [7722]**Summary:**

First Homes should be flexibly applied, with more clarity on responding to local needs in favour of rented and shared ownership affordable homes.

**Full text:**

The use of different affordable housing percentages for greenfield and brownfield sites in this policy is supported on the basis of this supporting regeneration of brownfield sites. The text in this policy does not however reflect that delivery of First Homes across the Borough may further dilute the delivery of affordable housing tenures that better meet local housing needs, and in sufficient quantities to hit the Council's targets for meeting housing need. It is concerning that the Viability Assessment – Further Update Note (January 2023) does not contain any detailed analysis of the costs associated with delivering First Homes, nor the impact of varying discounts necessary to deliver different house sizes to meet the price cap within Chichester.

The local planning authorities of Bath and North East Somerset Council and Guildford Borough Council have identified the lack of affordability of First Homes within their communities and taken steps to prioritise other affordable housing tenures. In the case of B&NES due to the evidence demonstrating that First Homes is not affordable and would affect delivery of other affordable tenures, the Council has decided not to implement the national guidance and excluded the tenure from their policies and guidance.

In contrast, the emerging draft Guildford Local Plan Policy H8 incorporates flexibility to deliver alternative affordable home ownership tenures where delivery of First Homes would "lead to an adverse planning outcome", making delivery of First Homes an expectation, but not a requirement.

The HEDNA (April 2022 Final Report) suggests that:

"the clear need for additional rented housing would arguably mean that providing the affordable home ownership would 'prejudice the ability' to meet the needs of the 'specific group' requiring rented accommodation".

It also notes that delivery of First Homes may 'squeeze out' other forms of low cost home ownership housing such as shared ownership, and delivery will, in particular for 3-bedroom dwellings for which there is significant need within Chichester, require additional discounts to hit the national cap. These higher discounts prejudice the viability of development, and in particular the delivery of rented affordable housing.

The introduction of First Homes as expected by the national guidance may reduce the opportunities for mixed tenure developments to meet local housing needs, contrary to national policy. We ask that the Council review whether the omission of the tenure, as supported by Bath and North East Somerset Council, would operate more effectively in Chichester than the flexibility currently suggested in the policy text. If not, the flexibility as currently drafted will assist in delivering housing in response to local need, affordability, and viability.

Abri supports the further text supporting development identifying opportunities for delivering a proportion of affordable housing for older persons.

**Change suggested by respondent:**

The Council should consider omitting the tenure altogether.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy H4 Affordable Housing**Respondent:** Mr Simon Davenport [7100]**Summary:**

The market ensures that housebuilders are rewarded for building expensive houses that median earning homeowners (even in required occupations) cannot afford and are suitable for the better off who wish to move to the area. Whilst population diminishes locally and house supply increases, the housing demand has continued to increase in recent years.

**Full text:**

The market ensures that housebuilders are rewarded for building expensive houses that median earning homeowners (even in required occupations) cannot afford and are suitable for the better off who wish to move to the area. Whilst population diminishes locally and house supply increases, the housing demand has continued to increase in recent years.

**Change suggested by respondent:**

The council needs to insist on higher levels of 'affordable' houses (20%+) and with more homes being single occupant (30%), housing density needs to increase to accommodate more people on less land thereby reduce travel time to local resources (shopping, medical attention etc).

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy H4 Affordable Housing**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking to understand further e.g., trip generation.] Affordable housing is especially pertinent on the Manhood peninsula, where we note that caravan parks are seeking 365 days a year occupation.

We seek to understand further information about the anticipated traffic generation associated with such changes.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

## Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queuing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.

- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style.
  - o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

"Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy H4 Affordable Housing

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

#### Summary:

The policy indicates commuted sums will be acceptable only in exceptional circumstances, and is supported. However, it would be helpful if the plan offers guidance on the circumstances where a site might be considered unsuitable for affordable housing. This is not a decision which should be left to the developer. Where commuted sums are obtained it will be helpful to the community to understand where those sums will be spent and in what timescale, to avoid the potential for all sites suitable for affordable housing in the areas where they are needed, being used in preference for open market housing.

#### Full text:

The policy indicates commuted sums will be acceptable only in exceptional circumstances, and is supported. However, it would be helpful if the plan offers guidance on the circumstances where a site might be considered unsuitable for affordable housing. This is not a decision which should be left to the developer. Where commuted sums are obtained it will be helpful to the community to understand where those sums will be spent and in what timescale, to avoid the potential for all sites suitable for affordable housing in the areas where they are needed, being used in preference for open market housing.

#### Change suggested by respondent:

The plan should offer guidance on those circumstances which might dictate a site being considered unsuitable for affordable housing provision.

Where commuted sums are obtained it will be helpful to the community to understand where those sums will be spent and in what timescale.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Gladman Developments Ltd (Mr Rob Wilding, Senior Planner) [7816]

**Summary:**

Gladman support the current approach of draft Policy H4 which proposes different levels of affordable housing provision depending on location within the district as assessed within the Housing and Economic Development Needs Assessment 2022 (HEDNA) and the viability. Gladman further welcome the flexibility within the policy which allows for reduced rates of affordable housing where viability concerns exist.

Gladman support the provision of affordable housing on site but consider that all affordable housing requirements are tested thoroughly to ensure that they are viable and deliverable alongside the other policy requirements of the Local Plan. The Local Plan should consider that the NPPF determines a minimum affordable housing requirement of 10%, and that it is preferred that a proportion of affordable housing are First Homes.

**Full text:**

Gladman support the current approach of draft Policy H4 which proposes different levels of affordable housing provision depending on location within the district as assessed within the Housing and Economic Development Needs Assessment 2022 (HEDNA) and the viability. Gladman further welcome the flexibility within the policy which allows for reduced rates of affordable housing where viability concerns exist.

Gladman support the provision of affordable housing on site but consider that all affordable housing requirements are tested thoroughly to ensure that they are viable and deliverable alongside the other policy requirements of the Local Plan. The Local Plan should consider that the NPPF determines a minimum affordable housing requirement of 10%, and that it is preferred that a proportion of affordable housing are First Homes.

The supporting text also details the overall housing mix for residential development as defined by the HEDNA 2022. Gladman recognise the need to ensure that a mix of house types, sizes and tenures are delivered to support choice and competition, but consider that the policy requires a degree of flexibility to ensure the provision reflects local need, site characteristics and market aspirations.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

We have no comment on overall proposed level of affordable housing as it would relate to the West of Chichester site. Miller and Vistry are pleased that the West of Chichester site is delivering 30% affordable housing on site in accordance with Policy H4.

**Full text:**

We have no comment on overall proposed level of affordable housing as it would relate to the West of Chichester site. Miller and Vistry are pleased that the West of Chichester site is delivering 30% affordable housing on site in accordance with Policy H4. In regards affordable tenure, we agree that there needs to be flexibility to cater to different needs, but this should also extend to management and viability considerations, as well as be flexible enough to respond to changes in national policy. It is suggested the Policy is reworded to make this clear in respect of affordable tenures.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** 784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8k>

## Object

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

In regards affordable tenure, we agree that there needs to be flexibility to cater to different needs, but this should also extend to management and viability considerations, as well as be flexible enough to respond to changes in national policy.

**Full text:**

We have no comment on overall proposed level of affordable housing as it would relate to the West of Chichester site. Miller and Vistry are pleased that the West of Chichester site is delivering 30% affordable housing on site in accordance with Policy H4. In regards affordable tenure, we agree that there needs to be flexibility to cater to different needs, but this should also extend to management and viability considerations, as well as be flexible enough to respond to changes in national policy. It is suggested the Policy is reworded to make this clear in respect of affordable tenures.

**Change suggested by respondent:**

It is suggested the Policy is reworded to make this clear in respect of affordable tenures

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** 784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8k>

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**Support**

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**Document Element:** Policy H4 Affordable Housing

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

In regards to Policy H4 on Affordable Housing, house prices in Chichester District are 14 times the average earnings for those working within it and there is a need for 200 social and affordable rented houses per annum for the Plan period (to 2039). Rydon Homes Ltd agrees that more affordable homes need to be built in the District in order to meet this need.

**Full text:**

In regards to Policy H4 on Affordable Housing, house prices in Chichester District are 14 times the average earnings for those working within it and there is a need for 200 social and affordable rented houses per annum for the Plan period (to 2039). Rydon Homes Ltd agrees that more affordable homes need to be built in the District in order to meet this need.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** March 23 Reg 19 reps Chichester District Council RHL - Final.pdf - <https://chichester.oc2.uk/a/sbd>

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**Object**

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**Document Element:** Policy H4 Affordable Housing

**Respondent:** Mr Paul Bedford [5302]

**Summary:**

A significant consideration in the plan that supports the need for more housing supply is the need to address affordability. The district has one of the highest ratio of median earnings to house prices of 14 times and despite substantial house building during the period 2013 -2022 the ratio has increased from 10.55.



**Full text:**

These comments are confined to the three areas set out in the consultation - Legal, Soundness and Duty to Cooperate and to two documents -the draft Local Plan and the Sustainability Assessment.

**Legal Status**

The Legal status of the Plan is proven but because of the protracted course of the plan's preparation some stages are now dated and raise the question that they should be refreshed. This is the particular case in respect of public participation. There have also been significant changes in legislation that guides the plan's formulation that would have benefited from revised statement of legislative/legal context.

**Soundness**

In the SA it is stated that the key issue for the plan is the A27 and its capacity. This statement is fundamental in that it is realistically outside the scope of the local planning authorities (CDC and West Sussex CC) to have any direct control over. Unless National Highways position is changed from their previous statements on time scales and what might be included in their assessment no consideration of A27 will be made until RIS3 taking any even initial action into the next decade.

So fundamental and influential is the A27 that assessment of Local Housing Need (LHN), a key component of the whole plan, is reduced from 638 units pa to 535. This position must have an impact on the plan's 'Soundness and crucially the phasing of development.

It is worthy of note that three recent housing appeal decisions unfortunately focused primarily on the lack of a 5yr housing supply base on the 638 higher figure. More pressing were issues of sewage system capacity, coastal inundation and fluvial flooding and nutrient neutrality.

The reduction of housing requirements that the Reg19 LP now promotes is very welcomed.

The reduction on the Manhood Peninsula appears to be derived because of recent housing approvals on appeal bringing forward housing that achieves the revised target based on the 535 figure. Two points arise none of these sites are in locations that CDC indicated in documents such as the HELAA and SHELAA as positively sustainable and as all other significant Peninsula housing is dropped do these sites exceed what would have been planned totals.

The SA 'Framework' only addresses 'Water- protection of resources' this is highly appropriate given the problems experienced in the north eastern part of the district in the summer of 2022 and will become more pressing in the south. Resolution of this issue that stopped planning applications seems to be by reducing water usage at least to 110 ltr ppp or lower this is when Southern Water only hope to achieve 125ltr by 2050.

Consideration in the framework should extend to the 'Water Cycle' and particularly address the acute problems of sewage system network capacity, polluting WWTW outfalls, nutrient neutrality. These systems are already currently stressed/ completely overloaded with current levels of use without new development coming on stream and discharges of untreated sewage are a significant and growing problem to Chichester, Langston and Pagham Harbours- this situation must be set against Defra- Storm Overflow Discharge Reduction Plan's statement "Protecting the Environment-water companies shall only be permitted to discharge from a storm overflow where they can demonstrate that there is no local ecological impact". Damage to Chichester/ Langstone Harbours is documented by a daming Natural England report and by that expected for Pagham Harbour all the sites of national significance for biodiversity and protected habitats.

Whilst para 5.2.34 and Box 5.1 of the SA summarise the position no direct statement of intervention is made. Reliance on a 'Statement of Common Ground that is referred to offers no positive programme of future capital investment by Southern Water (SW) especially when set against SW's overall regional programme its cost and priorities as set out in their draft DWMP-the final version of which is due for release in March this year- does the Plan reflect this documents information that is so crucial to supporting the infrastructure need for the scale of development envisaged is challenging to the plan's 'Soundness'

Time scale of the crucial improvements to infrastructure and particularly sewer and IWWTW capacity is of particular concern. SW's Drainage and Wastewater Management Plan v1 May 2020 set out in very comprehensive way what needs to be achieved and indication of time scale -placing most in AMP8 the next 5 yr business cycle and OFWAT approval would be needed for the scale of expenditure that is many hundred of millions. These time scale constraints should be reflected in the phasing of any housing development that will have to utilise the network. There is no direct indication that such phasing will be actively enforced.

The lack of inclusion in a key background supporting document -Strategic Flood Risk Assessment (SFRA) -of the Planning Practice Guidance on Flood Risk and Coastal Change that has important bearing on issues particularly for the southern plan area and specifically mentions the importance of the phasing of development to infrastructure provision is a concern especially when it was published in August 2022. These omission again have an impact on the Plan's overall 'Soundness.

A significant consideration in the plan that supports the need for more housing supply is the need to address affordability. The district has one of the highest ratio of median earnings to house prices of 14 times and despite substantial house building during the period 2013-2022 the ratio has increased from 10.55. It is clear that the type of housing that has occurred and continues to be proposed in the district has done little if anything to impact on affordability and address the need for social/lower cost housing. Based on the 2011 census the district experienced 1,505 inward migration (only Brighton and Hove being higher in the West Sussex/ Gt Brighton area) - this trend has been expected to have continued and accelerated as the pandemic increased the popularity of coastal property and raised market cost of property. Just building more houses without policy intervention to prioritise social shared ownership housing will most probably prove to further increase the extent of unaffordability with the resultant consequences on workforce -especially to support the district ageing population- and supporting young people to remain in the area they have grown up in or have come to be educated. This aspect is cause concern over the Plan's 'Soundness'.

Considerable emphasis is placed on the issues of nutrient neutrality, damage to biodiversity and pollution of Chichester Harbour AONB but such emphasis is not extended to Pagham Harbour that has a similar ecological status to Chichester and suffers the same degradation issues.

Although Pagham is outside of the nutrient protection zone the factors contributing to nutrient problems are apparent feeding into Pagham. The delayed report on condition for Pagham from Natural England mirroring that for Chichester Hb gives every indication it will indicate the same levels of detriment as those in Chichester Hb. This assumption being supported by condition reports for instance for rife and ditch condition known reports. Added to these factors are known issues relating to untreated discharges from Sidlesham WWTW. The Local Plans's lack of affording Pagham similar consideration to Chichester Hb is an issue that impacts on the Local Plan's overall 'Soundness'.

**Duty to cooperate**

The West Sussex and Greater Brighton Strategic Planning Board (WSGBSPB) provides a context for integrated planning along the coast plain area. It is stated that this board is due to issue a review of its 2016 report next month -does the Plan address any issues that this review may raise? . Housing needs are a major feature of the area and the need to transfer unmet housing demand to adjoining authorities is characteristic feature of past policy.. The SA quite categorically states that there would be no realistic potential to meet unmet housing need above the now established LHN figure. Should the WSGBSPB's report signal the need for the district to absorb housing from other areas there may be problems as the Plan does not appear to offer any contingency or process how such pressure might be mitigated.

The highly restricted housing numbers in the South Downs National Park Local Plan and the closeness of its boundary to the 'coastal strip' are contributing factors to the area's carrying and overall capacity to support development. Further constraint is imposed by the Chichester Harbour Area of Outstanding Natural Beauty ( AONB) and the geographical physical restrictions of the Manhood Peninsula creating 'coastal squeeze'.

**Change suggested by respondent:****Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** Chichester District Local Plan Reg19 Submission - <https://chichester.oc2.uk/a/sx9>**Object****Document Element:** Policy H4 Affordable Housing**Respondent:** Mayday! Action Group (John Garrett) [7163]**Summary:**

The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

**Full text:****Executive Summary**

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to

be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy H4 Affordable Housing

**Respondent:** VIVID (Mr Matthew Turpin, Public Affairs Lead) [8095]

**Summary:**

With regard to the approach proposed around tenure mix, our view is that this requires further consideration. At a time when the delivery of social rent homes is critical, we believe that mix weighting needs to be increased. As a result, we would seek consideration given to seeing the provision of social rent increased to at least 35%, 30% shared ownership and 10% affordable rent.

**Full text:**

With regard to the approach proposed around tenure mix, our view is that this requires further consideration. At a time when the delivery of social rent homes is critical, we believe that mix weighting needs to be increased. As a result, we would seek consideration given to seeing the provision of social rent increased to at least 35%, 30% shared ownership and 10% affordable rent.

**Change suggested by respondent:**

With regard to the approach proposed around tenure mix, our view is that this requires further consideration. At a time when the delivery of social rent homes is critical, we believe that mix weighting needs to be increased. As a result, we would seek consideration given to seeing the provision of social rent increased to at least 35%, 30% shared ownership and 10% affordable rent.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H4 Affordable Housing

**Respondent:** The Planning Bureau on behalf of McCarthy Stone [8093]

**Agent:** Miss Natasha Styles [8040]

**Summary:**

The viability assessment clearly shows that specialist housing for older people is only marginally viable. We are also concerned that the level of financial contributions attributed to achieving nitrate neutrality and water neutrality are massively underrepresented. This has implications for the viability of retirement housing schemes for which there is a critical need in the area,

**Full text:**

Policy H4- Affordable Housing

The Local Plan is one of an alarmingly limited number of emerging Local Plans that have set a differential affordable housing rate. The policy stipulates that affordable housing requirement of 40% on Greenfield sites and 30% on previously developed land. This is commendable and suggests a greater focus on viability in the Plan making stage. The affordable housing target set out in Policy H4 are informed by the evidence base, namely the Viability Assessment taken by Dixon Searle Partnership, hereafter referred to as the viability assessment. We commend the Council for making the report available at the Regulation 18 stage.

We note that the viability assessment has assessed the viability of the extra care older persons housing typologies and that reference is also made to Sheltered housing typologies. We would recommend caution as the viability assessment clearly shows that specialist housing for older people is only marginally viable using the inputs that Dixon Searle have adopted. We are also concerned that the level of financial contributions attributed to achieving nitrate neutrality and water neutrality are massively underrepresented, we believe that figures could be up to £8k a unit for nutrient neutrality (based on examples requested in other LPAs) and given there are no example of off-site credit systems, a similar figure could potentially be required again for water neutrality. The implications of £157.2 per square metre towards CIL contributions on a 50-unit retirement scheme, in conjunction with the other s106 contributions would be as follows:

- Nutrient Neutrality is £2k per unit = £100k
- Water Neutrality is £2k per unit = £100k
- SPA mitigation - £625 per dwelling = £31,250
- Residual S106 - £1500 per unit - £75k
- A827 contribution £8k (assumed to be per development not per dwelling)

This would mean that there would be contributions of around £974,000 on an average scheme in the south of the District before affordable housing is calculated. This has massive implications for the viability of retirement housing schemes for which there is a critical need in the area, and as we are not confident that the. Figures are appropriate for nutrients and water neutrality, this could mean that some retirement housing schemes are rendered unviable by these inputs.

In light of the above, we would suggest that the Council ensure that there is sufficient headroom in the viability of developments and that its policy requirements are robustly tested and the inputs for water neutrality and nitrate neutrality in particular are re-evaluated.

**Change suggested by respondent:**

In light of our comments we would recommend that the Council ensure that there is sufficient headroom in the viability of developments and that its policy requirements are robustly tested and the inputs for water neutrality and nitrate neutrality in particular are re-evaluated.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Re; desired tenure of affordable housing, in Thakeham's experience with working with Registered Providers, there is difficulty in providing both affordable and social rent on the same site.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Re-word policy to allow for affordable OR social rent and the percentage amended accordingly.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Express concern over apparent disparity in year-on-year affordable housing needs, as flagged in the ICENI HEDNA (see attachment for detail). Given scale of affordability challenge, aspiration to optimise proportion of affordable homes is commended. Support delivery of affordable homes. Strategic allocation A5 and wider Southern Gateway could, subject to viability considerations, ensure timely provision of affordable housing within Chichester City. Great care should be taken to avoid prejudicing delivery by ensuring suitable flexibility is 'built in' to the local plan.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Churchill Retirement Living [8176]

**Agent:** Planning Issues (Ziyad Thomas) [8178]

**Summary:**

Churchill Retirement Living are strongly of the view that it would be more appropriate to set a nil affordable housing target for sheltered and extra care development, at the very least in urban areas in the south of the District. This approach accords with the guidance of the PPG which states that 'Different (affordable housing) requirements may be set for different types or location of site or types of development' (Paragraph: 001 Reference ID: 10-001-20190509).

The requirement for affordable housing contributions from specialist older persons' housing typologies is therefore speculative rather than based on the evidence presented. The Local Plan is therefore considered to be unsound on the grounds the affordable housing targets are not justified, positively prepared or effective.

**Full text:**

See attachment.

**Conclusion**

5.1.1 Churchill Retirement Living are strongly of the view that it would be more appropriate to set a nil affordable housing target for sheltered and extra care development, at the very least in urban areas in the south of the District. This approach accords with the guidance of the PPG which states that 'Different (affordable housing) requirements may be set for different types or location of site or types of development' (Paragraph: 001 Reference ID: 10-001-20190509).

5.1.2 The guidance in the NPPF and the PPG is that the role for viability assessment is primarily at the Plan making stage: Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force (paragraph 57.)

5.1.3 Council Members, Officers and the general public will assume that applications for sheltered or extra care housing will be able to support a policy compliant level of affordable housing. This would however be wholly at odds with the viability evidence underpinning the Local Plan.

5.1.4 The requirement for affordable housing contributions from specialist older persons' housing typologies is therefore speculative rather than based on the evidence presented. The Local Plan is therefore considered to be unsound on the grounds the affordable housing targets are not justified, positively prepared or effective.

5.1.5 We therefore respectfully request that a new subclause is added stating that: Specialist older persons' housing will be subject to a nil affordable housing requirement on brownfield / urban sites in the South of the District and a 30% affordable housing requirement on greenfield sites.

5.1.6 To that end, we would like to draw the Council's attention to Paragraph 5.33 of Policy HP5: Provision of Affordable Housing in the emerging Fareham Borough Local Plan which advises that:

5.33 ... The Viability Study concludes that affordable housing is not viable for older persons and specialist housing. Therefore, Policy HP5 does not apply to specialist housing or older persons housing.

5.1.7 A nil affordable housing rate could facilitate a step-change in the delivery of older person's housing in the District, helping to meet the diverse housing needs of the elderly. The benefits of specialist older persons' housing extend beyond the delivery of planning obligations as these forms of development contribute to the regeneration of town centres and assist Council's by making savings on health and social care.

**Change suggested by respondent:**

Request that a new subclause is added stating that:

Specialist older persons' housing will be subject to a nil affordable housing requirement on brownfield / urban sites in the South of the District and a 30% affordable housing requirement on greenfield sites.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Viability Review - Mar23.pdf - <https://chichester.oc2.uk/a/snb>  
 Appendix 1.pdf - <https://chichester.oc2.uk/a/snc>  
 Appendix 2a.pdf - <https://chichester.oc2.uk/a/snd>  
 Appendix 2b.pdf - <https://chichester.oc2.uk/a/snw>  
 Appendix 3a.pdf - <https://chichester.oc2.uk/a/snf>  
 Appendix 3b.pdf - <https://chichester.oc2.uk/a/sng>

## Object

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Policy provides no basis for reduced affordable housing 'provision' on viability grounds which is highly unusual for a policy of this nature and contrary to the advice from Dixon Searle. In the absence of provisions within Policy H4 to allow for reduced affordable housing provision on viability grounds, the policy is likely to undermine the delivery of development. In particular, it will undermine development on brownfield sites contrary to paragraph 119 of the NPPF. On this basis the policy is unjustified, and its inclusion makes the Plan unsound.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

## Object

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Beechcroft Developments Limited [8188]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

Object on grounds that HEDNA identifies need for 225 affordable ownership homes, disregarded within Plan; unclear how tenure mix has been identified - disproportionately large share of social and affordable rental homes compared to that needed; policy does not align with evidence.

**Full text:**

See attachments.

**Change suggested by respondent:**

As the tenure mix sought by Policy H4 does not align with the evidence, additional work will need to be undertaken to demonstrate that this is justified and that it will be effective.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp5>

Appendix 1 - Representations on Housing Requirement and Supply - <https://chichester.oc2.uk/a/sp6>

Appendix 2 - Statement of Representations - A27 Mitigation Contributions - <https://chichester.oc2.uk/a/sp7>

## Object

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Supporting text does not set out how CDC's viability evidence base has (or has not) informed Policy - serious omission given fundamental role viability evidence plays in preparing affordable housing policy. Unclear what calculation will be for commuted sums for sites 6 to 9 dwellings in designated rural areas. Commuted sums only accepted in exceptional circumstances does not exclude homes in designated rural areas from requirement for 'exceptional circumstances' - unclear what policy approach is in this respect.

**Full text:**

See attachment.

**Change suggested by respondent:**

Paragraph 5.19 needs to be included in Policy itself.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

**Object**

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Alan and Susan Green [7699]

**Summary:**

Any new development should provide 50% of affordable housing. Other districts have managed to make 100% of some developments affordable. The current affordable price should be agreed and statistics published to show that local people, young and old are buying/renting.

**Full text:**

Sustainability Appraisal Comments on Soundness

More action is needed to preserve and improve the quality of life of residents. Recently there has been increased flooding and release of sewage in the Chidham, Hambrook and Bosham areas. Wildlife is also suffering and pollution increasing through high levels of traffic.

Further work needs to make clear to the government the difficulties found by the Council in coping with large new housing developments. Current infrastructure is inadequate in many areas.

A representative of Southern Water recently stated at CDC Overview and Scrutiny committee that it would be able to start on improvements in 2025, a date that they would be available was not given. Southern Water is being put in an impossible position when they are unable to manage the current amount of wastewater but have a statutory duty to treat wastewater from a new development. Tankers should only be used for short periods in emergencies, they increase the carbon footprint, pollution and damage local roads. Water is being extracted from the River Ems to cope with increasing demand.

Roads are in poor condition and becoming overcrowded, with many more cars parking along narrow roads, so that the roads become one way. Closer inspection and management of roads is needed. Priors Leaze Lane in Hambrook and Southbourne is narrow and winds along the Ham Brook. The section running between Inlands Road and the Grain Store should be converted to a footpath and cycle track so that residents from Hambrook and Southbourne can safely travel on foot/cycle.

Any new development should provide 50% of affordable housing. Other districts have managed to make 100% of some developments affordable. The current affordable price should be agreed and statistics published to show that local people, young and old are buying/renting.

The importance of rare chalk streams has recently been mentioned by the WWF, the South Downs National Committee on Chalk Streams and in the West Sussex Wildlife Trust magazine. Care should be taken to protect the Ham Brook and Hairspring Watercress Farm (mentioned in the Doomsday Book).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object**

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Westbourne Parish Council (Clare Kennett Parish Clerk) [1051]

**Summary:**

[RECEIVED LATE] - The existing policy only requires on-site provision of affordable housing for 10 or more dwellings. The proposed changes to require commuted sum payments in defined rural areas on sites for between six to nine dwellings is supported. However, this as drafted currently excludes Westbourne. Westbourne Parish Council would urge the District Council to ensure that this policy applies to Westbourne as it has limited opportunity for larger sites which makes it difficult to bring forward affordable housing and there is a clear need for more affordable housing in the Parish.



**Full text:**

The Parish Council supports the vision and overall strategic objectives of the Local Plan 2021-2039.

**Spatial strategy:**

Westbourne is identified as a Service Village and there is a given allocation for new development of 30 dwellings. In general terms this seems like a reasonable level of new growth that can be accommodated. However, the plan recognises that in the general area the scope for new development between the National Park boundary and the A27 is limited outside of Southbourne due to physical and environmental constraints. Given these limited opportunities to find land for new development around the village, which was confirmed in the Neighbourhood Planning process recently completed, the scope for Westbourne to take further development is very limited. The Parish Council would urge the District Council to see this quantity of 30 as a maximum target. We would ask the District Council to confirm that it would not suggest a new strategic development being brought forward in the allocations plan for Westbourne as the constraints of the National Park setting and other countryside policies severely limit the scope for further development.

**Policy H4, affordable housing policy:**

The existing policy only requires on-site provision of affordable housing for 10 or more dwellings. The proposed changes to require commuted sum payments in defined rural areas on sites for between six to nine dwellings is supported. However, this as drafted currently excludes Westbourne. Westbourne Parish Council would urge the District Council to ensure that this policy applies to Westbourne as it has limited opportunity for larger sites which makes it difficult to bring forward affordable housing and there is a clear need for more affordable housing in the Parish.

**Policies H12 and H13:**

The Plan indicates that there is a high level of unmet need generally for Gypsy's Travellers and Show People. The high levels of existing and unauthorised pitches in Westbourne is also mentioned in the Plan. The neighbouring parish of Southbourne is also mentioned as a location with high levels of pitches and unmet need. The relevant extract on the approach to meeting this need is as follows. "the council has had to utilise a wide range of options for meeting this need. This entails providing pitches on the strategic housing allocation sites, supporting increases in the density of pitches on existing authorised sites which have been assessed as being acceptable in principle for additional pitches, and allowing pitches to come forward on a case-by-case basis. The council will also consider allocating additional pitches via the forthcoming Allocations DPD."

Westbourne Parish Council is concerned to avoid intensification of the authorised and unauthorised Gypsy and Traveller and Showman's Pitches located within the Parish. Westbourne already has one of the highest concentrations of such uses anywhere in the District and further intensification will have an adverse impact on the balanced and cohesive community that we seek to protect. We would argue that other locations with lower intensities of such use should be sought to meet this need.

The site in Cemetery Lane at Greenacre is identified as a location for an additional four pitches. There have been many enforcement issues in this area with unauthorised pitches and unauthorised industrial and commercial development, and further increases in the quantity of pitches will exacerbate the situation to the detriment of the balanced and cohesive community that the Parish Council seeks to protect and enhance.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Support**

**Document Element:** Policy H4 Affordable Housing

**Respondent:** Chichester District Council Housing Team - Local Housing Authority (Mark Bristow) [7764]

**Summary:**

The Housing Authority fully endorse and support the provisions contained in Policy H4.

**Full text:**

Chichester Local Plan – Proposed Submission  
Duty to Co-operate

The Statutory Housing Authority welcomes the opportunity to comment on the Chichester Local Plan 2021 – 2039 and strongly commends the Local Planning Authority on progressing with its plan-making activities at a time when a number of Local Planning Authorities across the country have stalled owing to a state of flux in the national policy picture.

Chichester District Council Housing Authority considers that the Chichester Planning Policy Team have engaged in a pro-active manner in an ongoing basis to meet the needs of our communities. Furthermore, the authority has been consulted throughout in the crafting of the proposed housing policies H1 – H10 and confirm that the Duty to Co-operate has been met in this regard.

Is it legally compliant?

The Housing Authority consider the plan as presented, to be legally compliant and have no specific comments in relation to the Sustainability Appraisal, Habitats Regulations Assessment or the Statement of Community Involvement.

Soundness

The Housing Authority is satisfied that the plan is positively prepared and seeks to meet the housing need for both market and affordable housing, so far as is practicable, whilst having consideration for the various constraints of the plan area including AONB designation, heritage matters, flooding matters and infrastructure capacity issues. The Housing Authority believe the plan seeks to balance between these competing demands in a sustainable and realistic manner for the plan period 2021 -2039.

The Housing Authority consider the plan provides for a reasonable evidence based strategy which is consistent with national planning policy and guidance and contributes to the delivery of sustainable development, having regard to the reasonable alternatives available.

Meeting housing need

The Housing Authority considers the plan meets housing need so far as is realistically possible considering the constraints of the plan area.

Policy H1, including the Broad Spatial Distribution - is noted.

Policy H2, the strategic locations are broadly located in areas where the Council held Housing Register indicates the highest level of housing need.

Policy H3 - is noted.

Policy H4 – The Housing Authority fully endorse and support the provisions contained in Policy H4.

Policy H5 - The Housing Authority is supportive of the housing mix outlined in policy H5 and the ability to reflect local need where it is appropriate to do so. Furthermore it is right to provide this level of certainty, whilst allowing for some degree of flexibility.

Policy H6 - The Housing Authority are in full support of this policy and fully endorse the opportunity for Neighbourhood Planning groups to bring forward Self and Custom Build serviced plots. The Housing Authority are encouraged by the potential that may arise with the call for sites for such plots. We look forward to working with our colleagues and communities to bring forward Self and Custom Build opportunities within the plan area.

Policy H7 - The Housing Authority recognise the difficulties in bringing forward exception sites for affordable housing and welcome this policy which seeks to enable the needs of our rural communities to be met.

Policy H8 - The Housing Authority strongly advocate for the inclusion of specialist accommodation for older people, and the intention is to secure affordable housing across all specialist accommodation for older people, including Extra Care to meet the needs of those unable to secure such accommodation in the open market.

H9 – The Housing Authority support the policy to retain accommodation for rural workers.

H10-H14 – The Housing Authority has no observations to make in relation to these policies.

**Change suggested by respondent:**

-

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Attachments: None

**Object**

Document Element: Background, 5.24

Respondent: Mr Cliff Archer [8026]

**Summary:**

Reduce proportion of 4 bedroom houses

**Full text:**

Reduce proportion of 4 bedroom houses

**Change suggested by respondent:**

Reduce proportion of 4 bedroom houses to 10 - 15%.

Increase other proportions equally shared .

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Attachments: None

## Object

**Document Element:** Background, 5.24

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

The proportion of 3/4/4+ bedroom market dwellings adds to 50-65% whereas 1/2 bedroom dwellings amount to only 35-50%. These proportions should be the other way round. One and two-bedroom dwellings (bungalows/apartments/terrace houses) are what is needed which would then release existing larger housing stock.

**Full text:**

The proportion of 3/4/4+ bedroom market dwellings adds to 50-65% whereas 1/2 bedroom dwellings amount to only 35-50%. These proportions should be the other way round. One and two-bedroom dwellings (bungalows/apartments/terrace houses) are what is needed which would then release existing larger housing stock.

**Change suggested by respondent:**

The proportion of 3/4/4+ bedroom market dwellings adds to 50-65% whereas 1/2 bedroom dwellings amount to only 35-50%. These proportions should be the other way round. One and two-bedroom dwellings (bungalows/apartments/terrace houses) are what is needed which would then release existing larger housing stock.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** NP3 SB3 EV2 Southbourne Housing Need Survey CDC April 2020.pdf - <https://chichester.oc2.uk/a/s4q>  
NP3 SB3 EV3 Housing Need Survey Key Findings and Themes.pdf - <https://chichester.oc2.uk/a/s5r>

## Object

**Document Element:** Policy H5 Housing Mix

**Respondent:** Mr James Jewell [6721]

**Summary:**

Is there any evidence that there is a local demand for 40% of the 220 proposed houses in Loxwood to be social/ affordable? Given the employment and transport obstacles it seems an implausible proposition

**Full text:**

Is there any evidence that there is a local demand for 40% of the 220 proposed houses in Loxwood to be social/ affordable? Given the employment and transport obstacles it seems an implausible proposition

**Change suggested by respondent:**

Recognition that these disjoints between ambition and reality need to be eliminated before permissions to build are given.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy H5 Housing Mix

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy.

**Full text:**

WGPC supports this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H5 Housing Mix

**Respondent:** VIVID (Mr Matthew Turpin, Public Affairs Lead) [8095]

**Summary:**

As for this policy, we are supportive of the form in which it currently stands but would welcome the inclusion or recognition of single storey dwellings to help release larger family homes (but this does have an impact on achieving densities).

**Full text:**

As for this policy, we are supportive of the form in which it currently stands but would welcome the inclusion or recognition of single storey dwellings to help release larger family homes (but this does have an impact on achieving densities).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy H5 Housing Mix

**Respondent:** VIVID (Mr Matthew Turpin, Public Affairs Lead) [8095]

**Summary:**

Support in principle

**Full text:**

As for this policy, we are supportive of the form in which it currently stands but would welcome the inclusion or recognition of single storey dwellings to help release larger family homes (but this does have an impact on achieving densities).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy H5 Housing Mix

**Respondent:** Gladman Developments Ltd (Mr Rob Wilding, Senior Planner) [7816]

**Summary:**

Gladman is broadly supportive of the policy, but stress that it is important to note that the housing mix identified in the latest evidence is only a snapshot in time and that a flexible approach is required.

**Full text:**

Gladman recognise the importance of new development opportunities to provide appropriate mixes of housing types, sizes and tenures to meet the identified housing needs of the area. It is important to note that the housing mix as identified in the Council's latest evidence base only represents a snapshot in time in relation to the current housing needs.

As such, the policy should provide for flexibility going forward so that the Plan is able to respond to changes in circumstances at the time of an application being submitted to the local planning authority so that development opportunities can make better use of the land available whilst responding to the housing needs at that time. In this instance, Gladman support the general approach of the policy, particularly sub-criterion 3 which allows flexibility within the mix and variety of dwellings sizes for market dwellings.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy H5 Housing Mix

**Respondent:** Ms Meghan Rossiter [7722]

**Summary:**

The policy text is supported, but to be more effective it would be helpful to provide a broad indication of the likely proportions of house types and sizes that may be acceptable to the Council, in table form. This is shared in many other local plans and used as a baseline against which development can be measured.

**Full text:**

The policy text is supported, but to be more effective it would be helpful to provide a broad indication of the likely proportions of house types and sizes that may be acceptable to the Council, in table form. This is shared in many other local plans and used as a baseline against which development can be measured.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H5 Housing Mix

**Respondent:** Mr Simon Davenport [7100]

**Summary:**

There is already an imbalance in housing provision and the % of larger and detached dwellings is above national averages. In addressing the remedies for this problem the council needs to ensure that local need is met first and developments using houses as investment, holiday accommodation and second homes are strongly discouraged. Any discounts applied to encourage first time buyers should be strictly controlled and available to purchasers that can demonstrate a history of living in the area; such discounts being repayable if the property is sold within 5 years.

**Full text:**

There is already an imbalance in housing provision and the % of larger and detached dwellings is above national averages. In addressing the remedies for this problem the council needs to ensure that local need is met first and developments using houses as investment, holiday accommodation and second homes are strongly discouraged. Any discounts applied to encourage first time buyers should be strictly controlled and available to purchasers that can demonstrate a history of living in the area; such discounts being repayable if the property is sold within 5 years.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy H5 Housing Mix

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Generally, we support providing a mix of homes of differing size, types and tenures to meet a range of local needs.

**Full text:**

Point 1 suggests new market and affordable homes must be delivered in line with the HEDNA. However, point 3 then provides exceptions – it is suggested point 1 references point 3 to avoid confusion.

More generally, we support providing a mix of homes of differing size, types and tenures to meet a range of local needs. However, any such policy has to be flexible enough to recognise the range of needs locally and the specifics of the site and its context. Relying solely on the HEDNA and infrequently published updates to it does not fully provide this flexibility and would not allow home builders to respond effectively to changing market conditions over the plan period, which in the current economic and political climate, can occur quickly. It also does not recognise that, within the district, and particularly on large sites such as West of Chichester, circumstances may exist which require a less prescriptive approach to housing mix on site.

Furthermore, the financial viability of providing a given mix also has to be considered and allowed for in any policy wording to reflect that, particularly on larger sites, too heavy a weighting on any particular size of houses can have significant viability implications. The provisions of point 3(a) provide some flexibility but is still considered too rigid to enable sites to quickly adapt to evolving housing demands.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** 784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8z>

## Object

**Document Element:** Policy H5 Housing Mix

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Policy relies too heavily on HEDNA; should enable flexibility to recognize a range of local needs, site specifics and context; within large sites especially circumstances may require a less prescriptive approach; financial viability should be considered and allowed for.

**Full text:**

Point 1 suggests new market and affordable homes must be delivered in line with the HEDNA. However, point 3 then provides exceptions – it is suggested point 1 references point 3 to avoid confusion.

More generally, we support providing a mix of homes of differing size, types and tenures to meet a range of local needs. However, any such policy has to be flexible enough to recognise the range of needs locally and the specifics of the site and its context. Relying solely on the HEDNA and infrequently published updates to it does not fully provide this flexibility and would not allow home builders to respond effectively to changing market conditions over the plan period, which in the current economic and political climate, can occur quickly. It also does not recognise that, within the district, and particularly on large sites such as West of Chichester, circumstances may exist which require a less prescriptive approach to housing mix on site.

Furthermore, the financial viability of providing a given mix also has to be considered and allowed for in any policy wording to reflect that, particularly on larger sites, too heavy a weighting on any particular size of houses can have significant viability implications. The provisions of point 3(a) provide some flexibility but is still considered too rigid to enable sites to quickly adapt to evolving housing demands.

**Change suggested by respondent:**

Suggest point 1 references exceptions within point 3. Point 3 (a) provides some flexibility but is still considered too rigid to enable sites to quickly adapt to evolving housing demands.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** 784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8z>

## Support

**Document Element:** Policy H5 Housing Mix

**Respondent:** The Planning Bureau on behalf of McCarthy Stone [8093]

**Agent:** Miss Natasha Styles [8040]

**Summary:**

Policy H5 Housing Mix 1.

We support Policy H5 Housing Mix in its provision to allow older person's housing schemes to provide an alternative housing mix to that detailed within the most up to date Chichester HEDNA, 2022, Iceni.

**Full text:**

Policy H5 Housing Mix 1.

We support Policy H5 Housing Mix in its provision to allow older person's housing schemes to provide an alternative housing mix to that detailed within the most up to date Chichester HEDNA, 2022, Iceni.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H5 Housing Mix

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

We do not hear much at all about the Housing Register so where is the transparency and indeed how accurate are the housing need figures?

CDC outsources housing need studies to paid, professional consultants.

No statistics are published (or if they are they are not shared widely) which reveal the speed of uptake of new homes built and the housing market in 2023 and perhaps for several years hence is very likely to be less buoyant than it has been for decades.

We need to be certain that CDC is not chasing shadows created by an annual housebuilding target of 300,000 homes per annum – a target that has not ever been reached if CPRE's findings are correct.

Do we really want to destroy this unique part of the South Coast just because we have an unrealistic and inaccurate target set?

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from

recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy H5 Housing Mix

**Respondent:** Mrs Sarah Headlam [7441]

#### Summary:

Not entirely sound as makes no mention of population in balance and its effect on housing provision.

#### Full text:

Not entirely sound as makes no mention of population in balance and its effect on housing provision. Should also include that there is a need to rebalance the population mix in Chichester to nearer the national average. The Council expects the percentage of over 65s to increase to 35% by 2035 and that this will challenge health and service provision. Recommend that no open market detached housing be permitted to assist in rebalancing the population mix to nearer the national average.

#### Change suggested by respondent:

Should also include that there is a need to rebalance the population mix in Chichester to nearer the national average. The Council expects the percentage of over 65s to increase to 35% by 2035 and that this will challenge health and service provision. Recommend that no open market detached housing be permitted to assist in rebalancing the population mix to nearer the national average.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H5 Housing Mix

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

#### Summary:

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands.

#### Full text:

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

#### Chapter 2: Vision & Strategic Objectives

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

#### Chapter 3: Spatial Strategy and Settlement Hierarchy

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

#### Policy S1 Spatial Development Strategy

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

#### Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

#### Chapter 4: Climate Change and the Natural Environment

#### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.



It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

#### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

#### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

### Chapter 5: Housing

#### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

#### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

#### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

#### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

## Chapter 6: Place-making

### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

## Chapter 7: Employment and Economy

### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period." Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

## Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council's proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE's land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

**Additional sites****Hunston**

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

**Land East of Drayton Lane**

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

**Appendix C Additional Guidance**

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

**Conclusion**

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

**Change suggested by respondent:**

We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
 D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
 East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
 Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
 Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
 Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Support

**Document Element:** Policy H5 Housing Mix

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway supports draft Policy H5, which requires the delivery of an appropriate type and size, consistent with the most up to date HEDNA. Bellway welcome that planning permission can be granted for an alternative mix subject to a robust evidencing that the proposal addresses any housing imbalance that exists or that it addresses need and demand for affordable housing, self-build housing, older person and specialised housing. Bellway contend that the draft Policy 'Housing Mix' as conveyed in the Pre-submission Plan has been positively prepared, is fully justified, effective and consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

Bellway recommend that criterion 3 also includes reference to need for the housing mix to take into account the location of the site, for example city centre sites are more suitable for a higher density form of development with smaller units vs other sites where a greater proportion of family housing may be appropriate.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Support

**Document Element:** Policy H5 Housing Mix

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

Support inclusion of criterion 3. In addition to evidenced local need, may be other site-specific factors that justify need to provide a different mix of housing for a particular site. This could include for example, viability considerations.

**Full text:**

See attachment.

**Change suggested by respondent:**

Suggest following revision to criterion 3:

'robust evidence demonstrates that a different mix of dwellings is justified to address particular site-specific factors, or to meet local needs and demand for specific types, tenures and sizes of housing to contribute to the diversity of housing in the local area and help to redress any housing imbalance that exists.'

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/smp>

## Object

**Document Element:** Policy H5 Housing Mix

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Policy does not include reference to the ability of neighbourhood plans to be supported by Housing Needs Assessments to provide neighbourhood area / parish level evidence base to inform the housing mix for the neighbourhood area.

**Full text:**

See attachment.

**Change suggested by respondent:**

Text to this effect should be included in Policy given that many neighbourhood plans are now supported by such evidence and use this to inform neighbourhood plan policies on Housing Mix.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

**Document Element:** Policy H5 Housing Mix

**Respondent:** Chichester District Council Housing Team - Local Housing Authority (Mark Bristow) [7764]

**Summary:**

The Housing Authority is supportive of the housing mix outlined in policy H5 and the ability to reflect local need where it is appropriate to do so. Furthermore it is right to provide this level of certainty, whilst allowing for some degree of flexibility.

**Full text:**

Chichester Local Plan – Proposed Submission

Duty to Co-operate

The Statutory Housing Authority welcomes the opportunity to comment on the Chichester Local Plan 2021 – 2039 and strongly commends the Local Planning Authority on progressing with its plan-making activities at a time when a number of Local Planning Authorities across the country have stalled owing to a state of flux in the national policy picture.

Chichester District Council Housing Authority considers that the Chichester Planning Policy Team have engaged in a pro-active manner in an ongoing basis to meet the needs of our communities. Furthermore, the authority has been consulted throughout in the crafting of the proposed housing policies H1 – H10 and confirm that the Duty to Co-operate has been met in this regard.

Is it legally compliant?

The Housing Authority consider the plan as presented, to be legally compliant and have no specific comments in relation to the Sustainability Appraisal, Habitats Regulations Assessment or the Statement of Community Involvement.

Soundness

The Housing Authority is satisfied that the plan is positively prepared and seeks to meet the housing need for both market and affordable housing, so far as is practicable, whilst having consideration for the various constraints of the plan area including AONB designation, heritage matters, flooding matters and infrastructure capacity issues. The Housing Authority believe the plan seeks to balance between these competing demands in a sustainable and realistic manner for the plan period 2021 -2039.

The Housing Authority consider the plan provides for a reasonable evidence based strategy which is consistent with national planning policy and guidance and contributes to the delivery of sustainable development, having regard to the reasonable alternatives available.

Meeting housing need

The Housing Authority considers the plan meets housing need so far as is realistically possible considering the constraints of the plan area.

Policy H1, including the Broad Spatial Distribution - is noted.

Policy H2, the strategic locations are broadly located in areas where the Council held Housing Register indicates the highest level of housing need.

Policy H3 - is noted.

Policy H4 – The Housing Authority fully endorse and support the provisions contained in Policy H4.

Policy H5 - The Housing Authority is supportive of the housing mix outlined in policy H5 and the ability to reflect local need where it is appropriate to do so. Furthermore it is right to provide this level of certainty, whilst allowing for some degree of flexibility.

Policy H6 - The Housing Authority are in full support of this policy and fully endorse the opportunity for Neighbourhood Planning groups to bring forward Self and Custom Build serviced plots. The Housing Authority are encouraged by the potential that may arise with the call for sites for such plots. We look forward to working with our colleagues and communities to bring forward Self and Custom Build opportunities within the plan area.

Policy H7 - The Housing Authority recognise the difficulties in bringing forward exception sites for affordable housing and welcome this policy which seeks to enable the needs of our rural communities to be met.

Policy H8 - The Housing Authority strongly advocate for the inclusion of specialist accommodation for older people, and the intention is to secure affordable housing across all specialist accommodation for older people, including Extra Care to meet the needs of those unable to secure such accommodation in the open market.

H9 – The Housing Authority support the policy to retain accommodation for rural workers.

H10-H14 – The Housing Authority has no observations to make in relation to these policies.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 5.29

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

The way of registering for self build is too onerous and makes it difficult to register.

**Full text:**

The way of registering for self build is too onerous and makes it difficult to register.

**Change suggested by respondent:**

The council should do a district wide survey to assess the real demand for self builds which is considerably higher than the registered numbers.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object****Document Element:** Policy H6 Custom and/or Self Build Homes**Respondent:** Mr Stephen Jupp [227]**Summary:**

The policy fails to allow such plots to come forward on individual sites and is limited to sites over 200 units.

**Full text:**

The policy fails to allow such plots to come forward on individual sites and is limited to sites over 200 units.

**Change suggested by respondent:**

The policy must be reworded to allow individual self build and also live/work plots to come forward in suitable locations, such as PDL

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy H6 Custom and/or Self Build Homes**Respondent:** Mr Allen McDonald [7965]**Summary:**

The policy should explicitly state that design of custom and self build homes should follow the same requirements for good design, landscaping etc. as applicable to the area in which they will be built.

**Full text:**

The policy should explicitly state that design of custom and self build homes should follow the same requirements for good design, landscaping etc. as applicable to the area in which they will be built.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None**Support****Document Element:** Policy H6 Custom and/or Self Build Homes**Respondent:** Mr Allen McDonald [7965]**Summary:**

Support in principle

**Full text:**

The policy should explicitly state that design of custom and self build homes should follow the same requirements for good design, landscaping etc. as applicable to the area in which they will be built.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None**Object****Document Element:** Policy H6 Custom and/or Self Build Homes**Respondent:** Mr William MacGeagh [5889]**Summary:**

Object on grounds that policy is resistant to Self and Custom Build; Register reflects incorrect figures and is discriminative; Bacon Review, Levelling Up and Regeneration Bill and NPPF re; S&CB should be reflected in Plan; Council should seek out and support potential sites for S&CB; incorporate Planning, Design and Sustainability Statement and Statement of Intent for S&CB Housing (see attachments); no strategy for Northern District (Loxwood).

**Full text:**

REG 19 RESPONSE TO CDC DRAFT LOCAL PLAN – 7 PAGES

**INTRODUCTION**

I am a trained Quantity Surveyor and ex director of a major UK PLC house-building company. I am now semi-retired. I am an expert in Self and Custom Build (S&CB) housing. I was one of the first in the UK to become a self-builder at the age of 23. Similarly one of the first to gain a self build mortgage – all without parental support. I believe, as do Government, supported by all the political parties in the House of Commons that every single person should be allowed the opportunity to aspire and to be helped and supported in building their own home. This is now enshrined in law and has been since 2015.

Chichester District Council's (CDC's) revised Local Plan is not fit for purpose, is not joined-up or managed strategic purposeful thinking nor is the approach consistent, analysed or researched on issues around S&CB within the District, in offering people building plots in a location where they wish to live for many years.

Neither has CDC consulted with myself, the initiator of Self and Custom Build (S&CB) in the District nor with Loxwood Parish Council (LPC) under the

Localism Act, who have latterly formally requested CDC to be positive and pro-active in working with them in creating more S&CB in the village, thereby best retaining village character, history, uniqueness, high build standards and diversity of housing mix and opportunity (Exhibit 1) ... all as requested by Government. Nor have CDC consulted us to create a purposeful Housing Strategy for Loxwood.

The revised Local Plan is therefore not sound as CDC have shown little regard of Government's ever continuing initiatives to fully support S&CB in the region and nationwide, as clearly shown by their lack of substance, strategy and joined-up thinking within Chapter 5 and elsewhere within the revised Local Plan. (Exhibit 2) is a letter to me from the Minister of State for Housing which says 'The Government strongly believes that Self and Custom Build Housing can play a crucial role as part of a wider package of measures in securing greater diversity in the housing market as well as helping to deliver the homes people want', and in locations they want.

## OVERVIEW

For S&CB to even start to work at CDC, the S&CB Register wording needs to be dramatically improved upon. At present the wording is purposely negative, discouraging and unhelpful to applicants. The Register is required to be inviting to all residents, of whatever status and also those from outside our District.

Similarly CDC should be fully supportive of S&CB in all guises, not only in words in the Local Plan draft, but in actual initiatives directly from CDC as to continually educate, market, promote and encourage S&CB in the District; especially in major Service villages such as Loxwood, which is fast losing its village character by being overrun by major developers and their standard box style nondescript housing schemes, against the direct wishes of the Parish Council and also residents, as confirmed by Exhibit 1.

One of the major frustrations for prospective self and custom builders (S&CB's) is that despite the introduction of the 2015 Self Build and Custom House Building Act (as amended by the 2016 Housing and Planning Act), namely the Act there are still too many local authorities that remain resistant to giving self-build the due consideration in the planning process that the Government desires.

Indeed, the level of weight that Planning Inspectors have regularly attributed to Self-Build in appeal decisions is at odds with the weight that too many local authorities across England ascribe it within the planning balance. This is well recognised by Government, who have set up the Self Build Task Force (or Right to Build Task Force, as otherwise known) to interact with LPA's directly as to educate and encourage them to adhere to the Act and the PPG and other Government initiatives, to get their Register in order, and to be far more encouraging and supportive of S&CB.

Similarly, too many local authorities produce over-inflated monitoring figures with respect to the number of self-build plots they claim to have permissioned and in doing so also claim to have met their statutory duty to meet demand from their Self Build Register. This tends to be achieved through a mixture of double counting and the inclusion of applications within their claimed supply that plainly do not (and never will) meet either the legislative definition within the Act and/or are not in line with the guidance in the S&CB section of the PPG.

However, the proposed additional amendments to the Levelling Up and Regeneration Bill – aimed at removing some of the loopholes from the original legislation should help to make it easier for landowners, developers and promoters to bring schemes forward.

The proposed amendments, tabled in the House of Lords Committee, build on the new Clause 115 which has already been introduced in the House of Commons, and which seeks to clarify the duty of Councils to grant sufficient planning permissions for S&CB projects by removing the uncertainty around what constitutes a 'suitable permission' under the current legislation.

Amendment 281 CB would allow the Government to create new regulations or amend existing ones in order to specify the types of planning permissions that should be counted towards a local authority's statutory duty to meet the demand for S&CB arising from its Self-Build Register.

Meanwhile Amendment 281CC stipulates that demand for S&CB in an area, as established by a local authority's statutory S&CB Register, is cumulative. What this means in practice is that any unmet demand from any previous Base Period will be rolled over to the next until such time it is met. The result is that local authorities will no longer be able to simply write off previous under supply.

These amendments are a welcome response to the practical challenges highlighted in 'The Bacon Review', initiated by Government, into scaling up the S&CB market.

'The Bacon Review' found evidence of some local authorities mis-managing their Registers to suppress demand and permission plots. The detailed analysis and critique of such practices are regularly the subject of successful application and appeal work that professional planning consultants undertake on behalf of landowners and site promoters, to demonstrate that local authorities are not meeting the needs of those wishing to build their own home – as they are required to do both by legislation and the National Planning Policy Framework (NPPF).

Market analysis (e.g. example source) shows that demand for S&CB plots is strong and increasing, with landowners, developers and promoters keen to bring more schemes forward. However, to date, loopholes in the legislation and a combination of mis- understanding and the mis-management by too many local authorities has hindered progress with delivering enough permissioned plots to meet demand. This is why the Government funded 'Self Build Task Force' has been created (also known as The Right to Build Task Force).

If the proposed amendments are carried into law, they will help to close off existing loopholes, which should help to enable more land for S&CB to come forward and allow more prospective self and custom builders, at all levels, to achieve their dream home.

I was formally asked by two very senior 'separate' party councillors at CDC to offer advice as to how best CDC could improve their standards on S&CB in order to adhere to the law, to come in line with Government thinking and how best to support the wishes and dreams of its residents. This information was formally supplied to CDC (as attached Exhibits 3A, 3B, 3C, 3D and 3E) but has been in large part ignored, within Chapter 5 and elsewhere in the revised Plan.

## ISSUES THAT NEED ADDRESSING IN THE DRAFT LOCAL PLAN – CHAPTER 5 AND ELSEWHERE

### 1. Resistance to S&CB in the Planning Process at CDC

- Resistance is clearly shown in the lack of meaningful input within the policy statement in Chapter 5 and elsewhere. CDC have not addressed the initial most important issue around their Register by purposely discouraging people to join, including myself (See Exhibit 3D), yet Government is well aware of this hidden agenda and is keen for CDC and others to be far more transparent and in seeking help from outside experts, so they can quickly assist their residents and others who wish to Self and Custom Build.

- Resistance has been shown by CDC's lack of any helpful transparent discussion or interaction with me, as to how their systems can be improved, as to best encourage and publicise S&CB in the district.

## REMEDY

- All Members (after the May elections) to be encouraged to attend a Government Task Force Seminar on the many merits of S&CB especially within the rural parish councils of the District, as I am to understand that the Task Force have been asked to visit CDC within the next few months. The first issue being the re-writing of the Self Build Register and to make it transparent and open to all. Also that the new Register is extensively advertised to all District residents and elsewhere outside our District as a new 'upgraded Register'.
- Similarly so by encouraging officers of CDC planning department and also councillors of our northern parishes in particular to also attend the Seminar.
- To encourage all Member Councillors at CDC (in the planning role) to take on the higher role of planning decision making and not allowing officers to continue to take control. Also by reducing officer Delegated Power control and making officers more accountable for their decisions, and by taking back more control themselves, in determining new housing applications specifically as related to S&CB (directly or indirectly).
- CDC to appoint a part time Self and Custom Build Officer with direct experience in this subject, as do several other LPA's, with the sole function of promoting, publishing, encouraging and pushing for more such alternative and upgraded housing. At present CDC advise me that they spend one hour per week on S&CB issues.

## 2. CDC's S&CB Figures

CDC were monitored recently by the independent HEDNA Report 2022 which very clearly highlighted the inaccurate figures being quoted by CDC. HEDNA showed that the Register numbers were indeed 153 and not 3 as quoted by CDC (Exhibit 3A and 3E)

This is a major reason why the draft Local Plan is not sound. CDC have done nothing to amend or deal with this gross error and others as highlighted in the HEDNA report.

## 3. CDC's Register for Self and Custom Build

- Several parties at CDC have told me that they fully accept that their Register is discriminative and not helpful and wholly deficient and that it needs major changes in attitude.
- CDC are certainly not fulfilling their statutory duties as encouraging, promoting, advertising and educating their councillors and their residents in the many benefits of S&CB. Also in seeking out potential sites, especially in the Loxwood parish for 100% S&CB housing in order to offset major developer housing and the loss of character of the village because of the influx of poor developer standards and loss of community 'add ons' such as a Post Office, a larger primary school, a community hub coffee shop etc. It is well known that S&CB's do not wish to build their homes on major developer sites, but in clustered 100% S&CB sites.
- CDC have advised me that the re-writing of the Register will take 1 year to achieve. Yet bearing in mind that I have already supplied them with the skeleton wording, this is a nonsense. It will take no more than a few days to re-write. The whole process of publicity of the new Register could be completed within one month, if the will was there.
- I don't believe that CDC officers are at all aware of the Government continuous on-going initiatives towards S&CB.
- I also believe such initiatives plus further initiatives will be encompassed into The Levelling Up and Regeneration Bill and also into the new NPPF when it is published shortly.
- It should be duly noted that CDC were given circa £90,000 by Government some 5 years ago to support S&CB. This money was never used for this purpose and was utilised elsewhere. CDC very recently applied again for a similar grant and were rejected (Exhibit 4).

## REMEDY

- CDC should be encouraged to include in their draft Plan all the changes I have proposed and are duty bound by statute to do in revising and extending their Register, allowing for all the new initiatives Government have already published and hopefully are due to publish and further extend in the near future.
- As to support CDC in these endeavours they should:-
  - seek the help of people like myself and swiftly action such matters
  - arrange an extended Government Task Force meeting and swiftly implement their advice and insert same into the Local Plan as to best interpret Government policy so they (CDC) can ensure their Plan becomes sound.
  - Everybody should understand that all this support and advice will be given for free at no cost to the ratepayers of CDC
- \* CDC should regularly consult with people on their Register and if people like myself are willing to offer Register Members help and advice for free, these people should have the opportunity, if they wish, in seeking any help from us. At present CDC are doing nothing to help or encourage this to their Register Members, residents and others in finding suitable building plots, suitable mortgage funding, suitable builders and sub-contractors etc. Again this is a duty that they have ignored.

## CONCLUSIONS

I ask at Examination which I wish to attend that the Inspector seeks that CDC:-

- (1) That the Council will adhere to all the recommendations in the independent HEDNA Report '22 in support of S&CB; starting with re-writing the Register to show 153 potential applicants and not 3 as stated by CDC (see Exhibit 3A pages 1-3 inc. as already written up. Also Exhibit 3 (E). Also to place in their Plan reference to such changes including those as denoted below as to create a more rigorous S&CB statement.
- (2) That the Self Build Register be substantially re-written as not to be discriminative by removing all barriers to application. Also that the Register be fully published and supported within the District and that all new and revised Neighbourhood Plans in the District including Letters of Wishes from Parish Councils, show similar insertions in their existing or proposed Plans.
- (3) That the Bacon Review proposed insertions be installed in the Plan and any further inserts coming out of the Levelling Up and Regeneration Bill and the new NPPF also be inserted, once any or all become law or are published, supporting S&CB.
- (4) That the Council will seek out and support potential sites for S&CB and will encourage their Parish Councils to follow suit.
- (5) That the Council will write a Planning, Design and Sustainability Statement, specific to S&CB (See Exhibit 3 (b) as already written up).



(6) That the Council will write a full and precise Statement of Intent for S&CB Housing (See Exhibit 3(A) pages 4 & 5 – as already written up).

(7) That the Council will act with some haste in actioning these matters and confirm same in their S&CB Policy Statement, within the Plan.

(8) CDC have no strategy for the Northern District of our Council area and in particular for Loxwood which CDC classify as a Service Village which out of all the parishes is having to take by far the largest majority of all new housing in the Northern area.

Loxwood will need to increase their housing numbers by 220 new homes, plus permissions already granted (91), namely totalling 311 new homes. If strategy is not fully implemented our historic village character will be lost forever.

It is clearly imperative that CDC planners help and support us in Strategising the housing layout of our whole village style development hubs (of 100% S&CB) by creating housing clusters in lieu of large developer's schemes as per Loxwood Parish Council's (LPC's) wish (under the Localism Act) and their Letter of Wishes sent to CDC on 4th October, 2022 (Exhibit 1).

The reasonable wish of the residents in Loxwood Parish is to re-invigorate and re-create our historic village layout with new retail and village appropriate developments that will help 'service' us now we are to be a substantially larger village community.

This needs a meaningful impact strategy (under the Localism Act) from CDC planners in co-operation with LPC to best encourage our existing residents to stay, by best re-designing our community housing layout and make it fully sustainable and characterful into the next century, and make our historic village a flagship location where people wish to live and build their distinctive highly eco and bio diverse S&CB homes.

**Change suggested by respondent:**

Bacon Review, Levelling Up and Regeneration Bill and NPPF re; S&CB should be reflected in Plan; incorporate Planning, Design and Sustainability Statement and Statement of Intent for S&CB Housing to be inserted in Local Plan(see attachments); strategy for Northern District (100% S&CB in Loxwood).

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sg5>

Exhibit 1 - <https://chichester.oc2.uk/a/sg7>

Exhibit 2 - <https://chichester.oc2.uk/a/sg8>

Exhibit 3A - <https://chichester.oc2.uk/a/sg9>

Exhibit 3B - <https://chichester.oc2.uk/a/sgv>

Exhibit 3C - <https://chichester.oc2.uk/a/sgb>

Exhibit 3D - <https://chichester.oc2.uk/a/sgc>

Exhibit 3E - <https://chichester.oc2.uk/a/sgd>

Exhibit 4 - <https://chichester.oc2.uk/a/sgw>

Written representation letter - <https://chichester.oc2.uk/a/sgf>

Exhibit 5A - <https://chichester.oc2.uk/a/sgh>

Exhibit 5B - <https://chichester.oc2.uk/a/sgx>

## Support

**Document Element:** Policy H6 Custom and/or Self Build Homes

**Respondent:** Gladman Developments Ltd (Mr Rob Wilding, Senior Planner) [7816]

**Summary:**

In principle, Gladman support the intentions of the above policy as this is in line with Government thinking to provide opportunities for custom and self-build housing. We are encouraged to see that the Council is opting for a 12-month marketing period before plots may be built out as conventional market housing. It is generally accepted that a period of 12 months is normally required in Local Plans where plots can revert back to the developer for alternative forms of housing.

**Full text:**

In principle, Gladman support the intentions of the above policy as this is in line with Government thinking to provide opportunities for custom and self-build housing. We are encouraged to see that the Council is opting for a 12-month marketing period before plots may be built out as conventional market housing. It is generally accepted that a period of 12 months is normally required in Local Plans where plots can revert back to the developer for alternative forms of housing.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy H6 Custom and/or Self Build Homes

**Respondent:** Mr William MacGeagh [5889]

**Summary:**

The policy and supporting text do not reflect the scale and potential of self build demand and the sector in the north of the district. S&CB has unique contemporary potential and a position in the housing market to address emerging housing demand from families and residents of the district.

**Full text:**

The CDC Register represents the minimum self build requirement in the area. It is the minimum required of a Local Authority and does not reflect S&CB demand of people and households not already active in the sector.

There has not been proactive activity to take S&CB seriously. CDC are not fulfilling their statutory duties as encouraging, promoting, advertising and educating their councillors and their residents in the many benefits of S&CB. At present CDC are doing very little to help or encourage this to their Register Members, residents and others in finding suitable building plots, suitable mortgage funding, suitable builders and sub-contractors etc. Resistance to Self and Custom Build (S&CB) is clearly shown in the lack of meaningful input within the policy and supporting text. Possibly because of lack of education in S&CB as a housing alternative.

The Council has not taken seriously the contemporary potential of Self Build to enable working age people to invest and remain in the area contributing to the organic evolution and reasonable growth of established settlements.

S&CB has unique contemporary potential and a position in the housing market to address emerging housing demand from families and residents of the district. This is in terms of available demographic and economic evidence as well as insights within local communities and positive attitudes towards self build development enabling organic proportionate growth of settlements supporting the economy and social life as well as diversifying housing supply towards local housing demand and need.

In seeking out potential sites, especially in the Loxwood parish for 100% S&CB housing in order to offset major developer housing and the loss of character of the village because of the influx of poor developer standards and loss of community 'add ons' such as a Post Office, a larger primary school etc.

The lack of a positive approach to the distinct nature of the north of the district leaves it vulnerable to inappropriate homogeneous large scale housing estate development that does little to broaden housing choice in the local area.

**Change suggested by respondent:**

The plan should be amended to set out a greater requirement and emphasis on self build.

This should have regard to:

(a) appreciation of the self build register being the lower end of anticipated demand (in the absence of public and community engagement and promotion activity).

(b) the particular opportunities for self build to be a good fit with the distinctive northern part of the district (outside the national park).

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H6 Custom and/or Self Build Homes

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking further information regarding CEMP's.] New sites over 200 units which are allocated in the Local Plan will be required to provide self and custom build serviced plots (2% of units on strategic scale housing sites).

We seek to understand if the Council will utilise Construction Environmental Management Plan (CEMP) to manage and coordinate the activities of individual self-build builders, especially during the construction phase, to avoid, minimise and/or mitigate effects on the road environment.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

"Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy H6 Custom and/or Self Build Homes

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Miller and Vistry agree that given the allocation of the site is brought forward from the previous plan and the site has already been master planned, had a concept statement agreed and is at an advanced stage of consideration, it would be inappropriate to require the West of Chichester SDL to provide any self or custom build units (as confirmed by the absence of any self or custom build requirement in Policy A6).

**Full text:**

Miller and Vistry agree that given the allocation of the site is brought forward from the previous plan and the site has already been master planned, had a concept statement agreed and is at an advanced stage of consideration, it would be inappropriate to require the West of Chichester SDL to provide any self or custom build units (as confirmed by the absence of any self or custom build requirement in Policy A6).

**Change suggested by respondent:**

To avoid any potential confusion, suggest the first paragraph of the policy is amended to make it clear that the requirement for provision of self and/or custom build housing on SDLs is only required where the allocation policy explicitly requires it.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** 784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8m>

## Object

**Document Element:** Policy H6 Custom and/or Self Build Homes

**Respondent:** Home Builders Federation (Mr Mark Behrendt, Local Plans Manager SE and E) [7316]

**Summary:**

Object on grounds that: Council has not presented evidence on how HEDNA identified need will be met from windfall development; Council should examine whether there are opportunities to meet demand for self-build plots through the disposal of its own sites or by working with landowners to bring forward specific sites that will be able to provide plots; Council to recognise within policy that it is not always feasible for large sites deliver self-build plots - development of single plots by individuals operating on sites poses both practical and health & safety concerns, plots could be left empty or unfinished detrimental to other homeowners on site; whilst some sites may be able to locate self-build plots to reduce risks, on others it will not be possible.

**Full text:**

See attachment.

**Change suggested by respondent:**

If the Council justifies the requirement for strategic sites to provide plots for self-build housing we would suggest the phrase where feasible is included.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** HBF rep Chichester LP march 2023 redacted - <https://chichester.oc2.uk/a/sg6>

**Object**

**Document Element:** Policy H6 Custom and/or Self Build Homes

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Limited supporting text referring to Self Build and Custom Housing Act 2015. Support requirement for all residential schemes of 200+ homes to provide self and custom build service plots. Concern over requirement for 2% of market units provided on strategic scale housing sites (ambiguity on what is meant by strategic scale housing sites). Difficult to integrate self / custom build products on more modest sites (particularly higher densities), as opportunity to introduce self / builders / specialist custom build developers problematic. May result in lower density housing. Requirement for self / custom build products on sites of less than 200 homes might only serve to hamper delivery.

**Full text:**

See attachment.

**Change suggested by respondent:**

Confine self/custom build plots to strategic scale housing sites of 200 or more (whether allocated or speculative). Exclude reference to smaller sites other than to encourage allocation via Neighbourhood Plan policies.

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Object**

**Document Element:** Policy H6 Custom and/or Self Build Homes

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Thakeham objects to the requirement for: "2% of market units provided on strategic scale housing sites should be self/custom build". Requirements on relatively small sites creates undesirable piecemeal provision with potential feasibility and deliverability issues at implementation stage. Would suggest a focussed provision on sites of 500 or more dwellings represents a more acceptable approach, ensuring effective and comprehensive delivery. To ensure Policy is suitably justified, CDC should consider alternative approaches to increasing supply of self-build plots as referenced in PPG.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Policy H6 should be amended to read:

"On developments of 500 dwellings or more, 2% of market units should be self/custom build".

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

**Support**

**Document Element:** Policy H6 Custom and/or Self Build Homes

**Respondent:** Chichester District Council Housing Team - Local Housing Authority (Mark Bristow) [7764]

**Summary:**

The Housing Authority are in full support of this policy and fully endorse the opportunity for Neighbourhood Planning groups to bring forward Self and Custom Build serviced plots. The Housing Authority are encouraged by the potential that may arise with the call for sites for such plots. We look forward to working with our colleagues and communities to bring forward Self and Custom Build opportunities within the plan area.

**Full text:**

Chichester Local Plan – Proposed Submission  
Duty to Co-operate

The Statutory Housing Authority welcomes the opportunity to comment on the Chichester Local Plan 2021 – 2039 and strongly commends the Local Planning Authority on progressing with its plan-making activities at a time when a number of Local Planning Authorities across the country have stalled owing to a state of flux in the national policy picture.

Chichester District Council Housing Authority considers that the Chichester Planning Policy Team have engaged in a pro-active manner in an ongoing basis to meet the needs of our communities. Furthermore, the authority has been consulted throughout in the crafting of the proposed housing policies H1 – H10 and confirm that the Duty to Co-operate has been met in this regard.

Is it legally compliant?

The Housing Authority consider the plan as presented, to be legally compliant and have no specific comments in relation to the Sustainability Appraisal, Habitats Regulations Assessment or the Statement of Community Involvement.

Soundness

The Housing Authority is satisfied that the plan is positively prepared and seeks to meet the housing need for both market and affordable housing, so far as is practicable, whilst having consideration for the various constraints of the plan area including AONB designation, heritage matters, flooding matters and infrastructure capacity issues. The Housing Authority believe the plan seeks to balance between these competing demands in a sustainable and realistic manner for the plan period 2021 -2039.

The Housing Authority consider the plan provides for a reasonable evidence based strategy which is consistent with national planning policy and guidance and contributes to the delivery of sustainable development, having regard to the reasonable alternatives available.

Meeting housing need

The Housing Authority considers the plan meets housing need so far as is realistically possible considering the constraints of the plan area.

Policy H1, including the Broad Spatial Distribution - is noted.

Policy H2, the strategic locations are broadly located in areas where the Council held Housing Register indicates the highest level of housing need.

Policy H3 - is noted.

Policy H4 – The Housing Authority fully endorse and support the provisions contained in Policy H4.

Policy H5 - The Housing Authority is supportive of the housing mix outlined in policy H5 and the ability to reflect local need where it is appropriate to do so. Furthermore it is right to provide this level of certainty, whilst allowing for some degree of flexibility.

Policy H6 - The Housing Authority are in full support of this policy and fully endorse the opportunity for Neighbourhood Planning groups to bring forward Self and Custom Build serviced plots. The Housing Authority are encouraged by the potential that may arise with the call for sites for such plots. We look forward to working with our colleagues and communities to bring forward Self and Custom Build opportunities within the plan area.

Policy H7 - The Housing Authority recognise the difficulties in bringing forward exception sites for affordable housing and welcome this policy which seeks to enable the needs of our rural communities to be met.

Policy H8 - The Housing Authority strongly advocate for the inclusion of specialist accommodation for older people, and the intention is to secure affordable housing across all specialist accommodation for older people, including Extra Care to meet the needs of those unable to secure such accommodation in the open market.

H9 – The Housing Authority support the policy to retain accommodation for rural workers.

H10-H14 – The Housing Authority has no observations to make in relation to these policies.

**Change suggested by respondent:**

-

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Attachments: None

Support

Document Element: Policy H7 Rural and First Homes Exception Sites

Respondent: Mr Simon Davenport [7100]

**Summary:**

I would support the aims of this policy and say that where the council has allocated land in a zone for development that constructors are unwilling to provide adequate social and affordable housing, the council should generate its own development plan to provide rented accommodation and construct to a better environmental standard at an economic cost.

**Full text:**

I would support the aims of this policy and say that where the council has allocated land in a zone for development that constructors are unwilling to provide adequate social and affordable housing, the council should generate its own development plan to provide rented accommodation and construct to a better environmental standard at an economic cost.

**Change suggested by respondent:**

-

Legally compliant: Not specified

Sound: Not specified

Comply with duty: Not specified

Attachments: None

Object

Document Element: Policy H7 Rural and First Homes Exception Sites

Respondent: National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking to understand Council's approach.]  
With up to 30 dwellings per site across the region, we seek to understand how the Council plans to include such sites in an overarching monitor and manage policy which addresses the cumulative traffic impacts of these and other sites and manages their collective impact on the A27.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments

are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

## Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility



to identify or deliver necessary transport interventions.

- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style.
  - o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:  
 “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the ‘Strategic road network and the delivery of sustainable development’ (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country’s transport network, sustainably driving growth

across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project. We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy H7 Rural and First Homes Exception Sites

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

#### Summary:

The Goodwood Estate has traditionally provided housing for its workers to run estates traditionally and its associated farming practices.

With a change of role and practice, the Estate would like to explore the possibility of providing new housing for staff employed in its hospitality and non agricultural and forestry ventures. Such an initiative is frustrated by general rural housing policies.

#### Full text:

The Goodwood Estate has traditionally provided housing for its workers. Like many other estates as fewer staff were employed to run estates and its farming practices, Goodwood sold off properties for welcome income used to sustain and maintain the Estate as a whole.

With income generated by its wide-range of world-renowned activities, the Estate has in recent years (Covid excepted) been able to reinvest and buy back land and buildings previously sold off (the former sculpture park being a recent example, and the Goodwood Hotel previously). In the same vein the Estate would like to explore the possibility of providing new housing for staff, particularly those employed in its hospitality and non agricultural and forestry ventures. Such an initiative is frustrated by general rural housing policies.

#### Change suggested by respondent:

Criterion 1 should acknowledge local need as including the needs of large estates seeking to provide for staff accommodation, as these are different generally from the provision made through Policy H9.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H7 Rural and First Homes Exception Sites

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

I believe that this policy rules out exception sites from coming forward. The local plan is supposed to cater for both existing and future need across the whole district, but if there is existing need within a Parish that is not being built either due to future loading of district houses or because applications are not being built out or even coming forward then exception sites should be allowed. I do not believe this is how the NPPF is intended to be interpreted.

**Full text:**

I believe that this policy rules out exception sites from coming forward. The local plan is supposed to cater for both existing and future need across the whole district, but if there is existing need within a Parish that is not being built either due to future loading of district houses or because applications are not being built out or even coming forward then exception sites should be allowed. I do not believe this is how the NPPF is intended to be interpreted.

**Change suggested by respondent:**

1. Should be modified to remove 'or future' as a future plan may not deal with existing (today) need with in a Parish such as Bosham where no affordable units have been built in over 10 years. The other constraints 2-7 would stop a large exception site coming forward anyway so we are only talking 5-25 units ish.

9. Similarly this seems to suggest that if homes are being planned elsewhere then exception sites cannot be built. i do not feel that is correct.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H7 Rural and First Homes Exception Sites

**Respondent:** Mr Graham Pick [8079]

**Agent:** Batcheller Monkhouse (Miss Clare Bartlett, Head of Planning) [7032]

**Summary:**

Policy H7 supports the provision of affordable housing on rural sites as an exception to countryside policies. National policy sets out that First Homes can be classified as affordable housing and that First Home exception sites need to be 'primarily' for First Homes, and hence can include a small market housing component. This should be reflected in the wording of Policy H7 which currently only refers to market housing in the context of a viability assessment being required where such housing is proposed.

**Full text:**

Policy H7 supports the provision of affordable housing on rural sites as an exception to countryside policies. National policy sets out that First Homes can be classified as affordable housing and that First Home exception sites need to be 'primarily' for First Homes, and hence can include a small market housing component. This should be reflected in the wording of Policy H7 which currently only refers to market housing in the context of a viability assessment being required where such housing is proposed.

**Change suggested by respondent:**

The policy should make it clear that First Home exception sites can include a small market housing component.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy H7 Rural and First Homes Exception Sites

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Thakeham does not object to the content of the policy, however in order to be robust we believe Policy NE10 (Development in the Countryside) should reflect Policy H7. If a site is within the countryside it is often considered rural and therefore Policy NE10 should acknowledge the requirements within Policy H7 (see also rep no 5619 on Policy NE10).

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

**Document Element:** Policy H7 Rural and First Homes Exception Sites

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

**Summary:**

Concerns regarding policy criteria which limit amount of development that can be delivered;

- Criteria 2 (maximum of 30 dwellings) inconsistent with NPPF;
- Criteria 6 (proximity to settlement boundary) inconsistent with NPPF;

Policy provides no allowance for market housing on rural exception sites in addition to first homes exception sites and is inconsistent with NPPF.

**Full text:**

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

**Chapter 2: Vision & Strategic Objectives**

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

**Chapter 3: Spatial Strategy and Settlement Hierarchy**

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

**Policy S1 Spatial Development Strategy**

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

**Policy S2 Settlement Hierarchy**

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

**Chapter 4: Climate Change and the Natural Environment****Policy NE4 Strategic Wildlife Corridors**

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

#### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

#### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

### Chapter 5: Housing

#### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

#### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

#### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

#### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

## Chapter 6: Place-making

### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

## Chapter 7: Employment and Economy

### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period." Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

## Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council's proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE's land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

## Additional sites

## Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

## Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

## Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

## Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

**Change suggested by respondent:**

We consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

In relation to market housing, CCE considers Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable within such housing being included'.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
 D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
 East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
 Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
 Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
 Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Object

**Document Element:** Policy H7 Rural and First Homes Exception Sites

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

What does the policy define as local? What is CDC's justification for 30 dwellings? How has 30 dwellings been decided as the upper threshold? This seems like a large scheme for small settlements. Unclear what CDC considers to be a 'local connection'? Also unclear what Policy refers to in terms of a connection to the host parish "in the first instance" but then refers to a "second instance" where immediately surrounding parishes can then be considered. Unclear as to how this would work in practice. Not possible to determine what is "adjacent" or "as close as possible to the settlement boundary".

**Full text:**

See attachment.

**Change suggested by respondent:**

Point 6: This should be altered to state that it must "adjoin the settlement boundary".

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>

## Support

**Document Element:** Policy H7 Rural and First Homes Exception Sites

**Respondent:** Chichester District Council Housing Team - Local Housing Authority (Mark Bristow) [7764]

**Summary:**

The Housing Authority recognise the difficulties in bringing forward exception sites for affordable housing and welcome this policy which seeks to enable the needs of our rural communities to be met.

**Full text:**

Chichester Local Plan – Proposed Submission

Duty to Co-operate

The Statutory Housing Authority welcomes the opportunity to comment on the Chichester Local Plan 2021 – 2039 and strongly commends the Local Planning Authority on progressing with its plan-making activities at a time when a number of Local Planning Authorities across the country have stalled owing to a state of flux in the national policy picture.

Chichester District Council Housing Authority considers that the Chichester Planning Policy Team have engaged in a pro-active manner in an ongoing basis to meet the needs of our communities. Furthermore, the authority has been consulted throughout in the crafting of the proposed housing policies H1 – H10 and confirm that the Duty to Co-operate has been met in this regard.

Is it legally compliant?

The Housing Authority consider the plan as presented, to be legally compliant and have no specific comments in relation to the Sustainability Appraisal, Habitats Regulations Assessment or the Statement of Community Involvement.

Soundness

The Housing Authority is satisfied that the plan is positively prepared and seeks to meet the housing need for both market and affordable housing, so far as is practicable, whilst having consideration for the various constraints of the plan area including AONB designation, heritage matters, flooding matters and infrastructure capacity issues. The Housing Authority believe the plan seeks to balance between these competing demands in a sustainable and realistic manner for the plan period 2021 -2039.

The Housing Authority consider the plan provides for a reasonable evidence based strategy which is consistent with national planning policy and guidance and contributes to the delivery of sustainable development, having regard to the reasonable alternatives available.

Meeting housing need

The Housing Authority considers the plan meets housing need so far as is realistically possible considering the constraints of the plan area.

Policy H1, including the Broad Spatial Distribution - is noted.

Policy H2, the strategic locations are broadly located in areas where the Council held Housing Register indicates the highest level of housing need.

Policy H3 - is noted.

Policy H4 – The Housing Authority fully endorse and support the provisions contained in Policy H4.

Policy H5 - The Housing Authority is supportive of the housing mix outlined in policy H5 and the ability to reflect local need where it is appropriate to do so. Furthermore it is right to provide this level of certainty, whilst allowing for some degree of flexibility.

Policy H6 - The Housing Authority are in full support of this policy and fully endorse the opportunity for Neighbourhood Planning groups to bring forward Self and Custom Build serviced plots. The Housing Authority are encouraged by the potential that may arise with the call for sites for such plots. We look forward to working with our colleagues and communities to bring forward Self and Custom Build opportunities within the plan area.

Policy H7 - The Housing Authority recognise the difficulties in bringing forward exception sites for affordable housing and welcome this policy which seeks to enable the needs of our rural communities to be met.

Policy H8 - The Housing Authority strongly advocate for the inclusion of specialist accommodation for older people, and the intention is to secure affordable housing across all specialist accommodation for older people, including Extra Care to meet the needs of those unable to secure such accommodation in the open market.

H9 – The Housing Authority support the policy to retain accommodation for rural workers.

H10-H14 – The Housing Authority has no observations to make in relation to these policies.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None



**Document Element:** Housing for older people, 5.41

**Respondent:** Mr Cliff Archer [8026]

**Summary:**

Support

**Full text:**

Support

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Housing for older people, 5.41

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking to understand Council's approach.] Those age groups 75 and over (Para 5.41) or with specialised mobility needs (Para 5.42) are less likely to use walking / cycling routes than younger persons.

Department for Transport data suggests that there has been a 20-40% change (decrease) in bus vehicle miles across West Sussex since the pandemic. Bus networks are shrinking across the UK and services are being cut or rationalised.

Considering these changes, and the typical inability of the aged to walk or cycle longer distances, we seek to understand how the Council will demonstrate that revenue funding can be secured to maintain the longterm viability of the public transport in proximity of the specialist accommodation for older people and those with specialist needs and how this may affect the viability of the overall sustainable transport package.

Impacts arising from such developments and the funding of transport infrastructure modifications should be fully assessed at the planning application stage.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queuing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:  
 "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

## Object

**Document Element:** Housing for older people, 5.41

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment -Seek clarity]. Local Plan evidence - Housing and Economic Development Needs Assessment (HEDNA) Final Report – April 2022

The Executive Summary Para 13 states “The District has a notably older age structure than seen regionally or nationally, with 28% of the population estimated to be aged 65 and over in 2020 (compared to a national average of 19%). The Manhood Peninsula sub-area sees a particularly old population (33% aged 65+)”

We seek clarity on how these demographics are addressed in the Plan and their transport needs managed.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for

the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecase modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
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  - o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

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On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

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We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Housing for older people, 5.41

**Respondent:** The Planning Bureau on behalf of McCarthy Stone [8093]

**Agent:** Miss Natasha Styles [8040]

#### Summary:

To be consistent with national policy and the plan's own evidence the definitions used in para 5.41 should be amended to ensure consistency with national policy and to not eliminate an important element of older persons housing that being retirement living or sheltered accommodation.

To be consistent with national policy, positively prepared, effective and justified para 5.41 should be amended in line with our recommendations.

**Full text:****Para 5.41 - Housing for older people**

Thank you for the opportunity to comment on the Chichester Local Plan 2021-2039 Proposed Submission Draft (Regulation 19) consultation. McCarthy Stone is the leading provider of specialist housing for older people.

Para 5.41 identifies that the Chichester Housing and Economic Development Needs Assessment, 2022, Icení (HEDNA) 'estimates the greatest population increase in the district by 2039 to be those in age groups 75 and over'. The paragraph then continues to confirm the kind of housing that may be suitable and this includes 'Sufficient adaptable and/or accessible market housing stock so that those wishing, to remain in their own homes can do so as their needs change, Smaller homes, for those wishing to downsize, and bungalows, Extra care housing, for those able to live relatively independently but requiring onsite support, Care homes, for those needing additional support'.

Government's policy, as set out in the revised NPPF, is to boost significantly, the supply of housing. Paragraph 60 reads:

"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."

The revised NPPF looks at delivering a sufficient supply of homes, Paragraph 62 identifies within this context, the size, and type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies including older people.

In June 2019 the PPG was updated to include a section on Housing for Older and Disabled People, recognising the need to provide housing for older people. Paragraph 001 Reference ID: 63-001-20190626 states:

"The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking" (emphasis added)

Paragraph 003 Reference ID: 63-003-20190626 recognises that:

"the health and lifestyles of older people will differ greatly, as will their housing needs, which can range from accessible and adaptable general needs housing to specialist housing with high levels of care and support. For plan-making purposes, strategic policy-making authorities will need to determine the needs of people who will be approaching or reaching retirement over the plan period, as well as the existing population of older people."

Thus, a range of provision needs to be planned for. Paragraph 006 Reference ID: 63-006-20190626 sets out:

"plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.."

**Need for Older Persons' Housing**

It is well documented that the UK faces an ageing population. Life expectancy is greater than it used to be and as set out above by 2032 the number of people in the UK aged over 80 is set to increase from 3.2 million to 5 million (ONS mid 2018 population estimates).

It is generally recognised (for example The Homes for Later Living Report September 2019). That there is a need to deliver 30,000 retirement and extra care houses a year in the UK to keep pace with demand.

The Chichester HEDNA, 2022 update, Icení, April 2022 at paragraph 8.43 identifies that 'In total, the older persons analysis points towards a need for around 2,369 to 3,317 units over the 2021-39 period (132-184 per annum) – the older person need equates to some 17-24% of all homes needing to be some form of specialist accommodation for older people'.

It is therefore clear there will be a significant amount of specialist housing required to meet the needs of older people over the plan period and the provision of suitable housing and care to meet the needs of this demographic should be more of a priority of the emerging Local Plan in order for it to be positively prepared, effective and consistent with national policy. Para 5.41 should therefore be amended to identify this need.

Para 5.41 also identifies the kinds of housing that may be suitable to meet the housing needs of older people. However, these differ to the PPG on 'housing for older and disabled people' that at Paragraph: 010 Reference ID: 63-010-20190626 defines the different types of specialist housing for older people as being 'age restricted general market housing, Retirement living or sheltered housing, extra care housing or housing with care, residential care homes and nursing homes'. Para 8.23 of the Chichester HEDNA also uses the definitions within the PPG. Therefore, to be consistent with national policy and the plans own evidence the definitions used in para 5.41 should also be amended to ensure consistency with national policy and to not eliminate an important element of older persons housing that being retirement living or sheltered accommodation.

**Change suggested by respondent:****Recommendation**

To be consistent with national policy, positively prepared, effective and justified para 5.41 should be amended as follows:

Amend para so it reads 5.41 as follows:

5.41. The Housing and Economic Development Needs Assessment (HEDNA) 2022 estimates the greatest population increase in the district by 2039 to be those in age groups 75 and over. To support an ageing population there should be provision around 2,369-3,317 units of specialist housing to meet the needs of older people delivered in Chichester over the plan period. This amounts to around 132-184 units per annum some 17% to 24% of all homes. Suitable housing options for the differing needs of individuals, include:

- age restricted general market housing,
- Retirement living or sheltered housing,
- extra care housing or housing with care,
- residential care homes and nursing homes

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Document Element:** Housing for older people, 5.41

**Respondent:** John Newman [8169]

**Summary:**

I am very pleased to see this section.

It should also be borne in mind that there is an ever-expanding number of senior citizens who opt for the gentle climate south of the Downs. In this context it is surely predictable, for instance, that more rather than fewer care homes will be needed in the next decade as my baby-boomer generation ages even more!

I also think it very noticeable how few bungalows there are in Chichester and would add that, if you would to persuade people like me to leave my long-time family home, there is not the supply of bungalows, which would be my obvious next step, all the more so as I do not fancy living in a flat (and have no idea how typical I am in that).

I am one of the baby-boomer generation, and there are a lot of us - an extra form had to be put on to my grammar school when I arrived there in 1957. We are now in our early or mid 70s, and the potential impact of our hitting first retirement and then moving further into retirement has been so predictable. The planners need to prepare now for the impact of most of us attaining our 80s!

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sj>

## Object

**Document Element:** Housing for older people, 5.42

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking to understand Council's approach.] Those age groups 75 and over (Para 5.41) or with specialised mobility needs (Para 5.42) are less likely to use walking / cycling routes than younger persons.

Department for Transport data suggests that there has been a 20-40% change (decrease) in bus vehicle miles across West Sussex since the pandemic. Bus networks are shrinking across the UK and services are being cut or rationalised.

Considering these changes, and the typical inability of the aged to walk or cycle longer distances, we seek to understand how the Council will demonstrate that revenue funding can be secured to maintain the longterm viability of the public transport in proximity of the specialist accommodation for older people and those with specialist needs and how this may affect the viability of the overall sustainable transport package.

Impacts arising from such developments and the funding of transport infrastructure modifications should be fully assessed at the planning application stage.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).



- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- Justified - Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and

developers to support the preparation of sound documents which enable the delivery of sustainable development.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings
- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** Hanbury Properties [1697]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

In our view however, draft Policy H8 doesn't reflect the guidance in the PPG. For instance, although the policy sets out a threshold of provision for specialist housing of housing sites of 200 or more units, there is no guidance on the actual % provision as there is for example, on affordable housing. All it says is the specific type and amount of accommodation required will depend on the size and location of the site.

The supply of specialist housing should not just be focused on large scale housing schemes. The landscape and environmental constraints across the district even outside the national park would not necessarily allow for large 200 plus unit schemes in all locations. To support an ageing population policy should support the provision of suitable specialist housing to meet the differing needs of individuals across a range of options and in a range of locations.

**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. The Regulation 19 Plan is not legally compliant as it has not been reviewed within 5 years of the last Plan adopted in July 2015. It is also disappointing that the failure of the current Regulation 19 Local Plan to meet objectively assessed need (OAN) of 638 dpa outside the national park has not been properly evidenced in any up to date statement of common ground with neighbouring authorities with regards to the 'duty to cooperate'.

At this stage we believe the Plan as drafted therefore fails the 'positively prepared', 'effective', and 'consistent with national policy' tests.

In addition, with regard to the longer term growth requirements and the singular issue of a potential new settlement the plan also fails the 'justified' and 'consistent with national policy' tests of soundness.

**Duty to Cooperate**

The 2014-2029 Local Plan adopted in 2015 does not meet the full objectively assessed housing needs for the area. But it did recognise that future proposals to improve the capacity of the A27 and wastewater treatment works could facilitate additional housing growth. For this reason, it committed the Council to a review of the Plan within five years to ensure that housing needs could be met. That undertaking to review within 5 years was not met.

In 2021 the Council invited an advisory visit from PINS to advise on how the present Local Plan should be prepared. The inspector advised that if the Plan was prepared which did not meet the full housing needs of the area, it would have to show that it had followed the duty to co-operate with neighbouring authorities in maximising the effectiveness of plan preparation.

The inspector said the Duty to Cooperate was therefore critical in the preparation of the Local Plan Review. At the time of the meeting, the council said discussions with neighbouring authorities had been carried out on the basis that the Local Plan Review would meet the full objectively assessed housing needs (OAN) for the area. However if this was not the case, the inspector said evidence of constructive, active, and on-going engagement to determine whether or not development needs could be met elsewhere would need to be shown. Importantly, the inspector said, 1) 'a failure to meet the Duty to Cooperate cannot be remedied during the examination process because it applies to the preparation of the Plan, which ends upon submission', and 2) local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before submitting plans for examination.

The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. In the event, the Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted. Appendix 1 of the Statement of Compliance lists those authorities that were consulted during the earlier Regulation 18 Preferred Approach consultation. Appendix 2 lists those authorities where Statements of Common Ground have been agreed with Chichester DC for the Regulation Submission 19 Plan. No statements have produced or agreed. Therefore as it stands the under provision of housing against OAN in the Plan has not been justified. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy in the NPPF paragraph 24-27 which advises on the duty to cooperate approach.

**Local Plan Policies**

The remainder of these comments deal with the Settlement Hierarchy policy S2, H1, H2 H3 and H8.

**Policy S2 – Settlement Hierarchy**

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that the hierarchy prioritising development at Chichester as the sub regional centre, followed by development at the settlement hubs, service villages and the rest of the plan area is reasonable. However, although the distribution of housing amongst the settlements in the current Regulation 19 plan has been updated compared to the last Regulation 18 plan, the background paper itself has not been updated. Nor is

there any justification or explanation for the change in the quantum of strategic and non-strategic housing to the different categories of settlement in the background paper or the Local Plan itself.

#### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

#### Policy H2 – Strategic Site Allocations and Policy H3 – Non-Strategic Parish Allocations

Policy H2 identifies strategic scale and policy H3, non-strategic allocations. We have explained above that the Settlement Hierarchy Background Paper was prepared for the 2018 Preferred Options Regulation 18 Local Plan but has not been updated to provide any justification for the revised housing distribution and quantum of development for the named locations and settlements in the Regulation 19 Local Plan.

#### Policy H8 – Specialist accommodation for Older People

National policy in the online planning practice guidance (PPG) is clear that the need to provide housing for older people is critical. The guidance on the provision of this type of housing states:

- Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require.
- They could provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.
- It includes the following within the general definition of specialist housing - age-restricted general market housing, retirement living or sheltered housing, extra care housing or housing-with-care, residential care homes and nursing homes, and senior co-housing communities.
- LPA's can identify sites for co-housing communities and other specialist housing types for older people, because,
- Allocating sites can provide greater certainty for developers and encourage the provision of sites in suitable locations. This may be appropriate where there is an identified unmet need for specialist housing. The location of housing is a key consideration for older people who may be considering whether to move (including moving to more suitable forms of accommodation).

Factors to consider include the proximity of sites to good public transport, local amenities, health services and town centres.

In our view however, draft Policy H8 doesn't reflect the guidance in the PPG. For instance, although the policy sets out a threshold of provision for specialist housing of housing sites of 200 or more units, there is no guidance on the actual % provision as there is for example, on affordable housing. All it says is the specific type and amount of accommodation required will depend on the size and location of the site.

The supply of specialist housing should not just be focused on large scale housing schemes. The landscape and environmental constraints across the district even outside the national park would not necessarily allow for large 200 plus unit schemes in all locations. To support an ageing population policy should support the provision of suitable specialist housing to meet the differing needs of individuals across a range of options and in a range of locations.

The second part of H8 should therefore confirm that proposals for specialist housing, such as homes for older people will be supported without any policy qualification for a site's location within or outside a settlement boundary or within an AONB where a proposal in its local context is not deemed to represent major development.

Rather than rely on the criteria based approach, the policy should also allow for the allocation of sites for specialist accommodation for older people in a Neighbourhood Plan where a site has the support of local people.

#### Change suggested by respondent:

We propose an amendment to policy H8 to confirm that specialist accommodation for older persons can be supported without any policy qualification for a site's location within or outside a settlement boundary or within an AONB where a proposal in its local context is not deemed to represent major development.

Rather than rely on the criteria based approach, the policy should also allow for the allocation of sites for specialist accommodation for older people in a Neighbourhood Plan where a site has the support of local people.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Hanbury Reg 19 - <https://chichester.oc2.uk/a/sf8>

## Object

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]

#### Summary:

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

#### Full text:

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

#### Transport Overview

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.

The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

Deliverability of Key Infrastructure

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

#### Sustainable Transport Infrastructure & Measures

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

#### Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed

data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

### 1) Education

#### Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments,....'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

#### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

### 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

### 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

### 4) Highways and Transport

#### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

#### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

#### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

#### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes. The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

#### 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere. It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>  
Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Support

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policy H8 and indeed think that this is what older people would want too (even if they were perhaps more sensitive to noise than some!)

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sjg>

## Object

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** Hallam Land Management Limited [1696]

**Agent:** LRM Planning Ltd (Miss Kate Coventry, Senior Planner) [6627]

**Summary:**

No confirmation on the quantum of specialist accommodation that this policy or other site allocations will secure and how the specific need for each application is calculated. Policy H8 fails to address identified overall need clearly, as required by National guidance. It is recommended Local Plan allocates sites to deliver this type of accommodation as intended by the HEDNA. This approach risks land on these sites being unable to deliver both the expected market/affordable housing and the specialist accommodation on site. Site promoted at Land to North of Gosden Green as suitable.

**Full text:**

1 Introduction

1.1 These Representations have been prepared on behalf of Hallam Land Management Limited (hereafter 'Hallam'), in response to the Chichester Local Plan Review Proposed Submission Plan consultation.

1.2 Hallam is a strategic land promotion company operating throughout England, Wales and Scotland delivering land for new employment and commercial premises, housing, including specialist elderly housing, and mixed-use developments. Hallam has been acquiring, promoting, developing and trading in land since 1990. During that time, the company has established an outstanding record in resolving complex planning and associated technical problems in order to secure planning permissions for a whole range of different land uses to facilitate the delivery of new development.

1.3 Hallam control land to the west of Southbourne, to the north of the A259 and south of the railway line. Development of this land for new housing including specialist elderly accommodation, as shown in the accompanying Vision Document, would be consistent with the established Spatial Strategy; which is rightly retained in the consultation document. Similarly, development would contribute towards meeting the future housing needs of the District within the proposed Broad Location for Development (BLD) at Southbourne.

1.4 These Representations set out our support for the BLD drawn on the key diagram to the west and east of Southbourne. However, Hallam are seeking amendments to Policies S1, H1, H2, H8 and A13 to ensure that: the overall housing needs are met across the District, including early delivery and specialist accommodation; the flexibility sought early in the Submission Plan, at Policy S2 and H1, is carried through to the strategic allocations and locations; and, the BLD is distributed to the west and east of Southbourne.

1.5 Moreover, Hallam are proposing the allocation of small and medium scale sites at Southbourne within the Local Plan, to enable early delivery of housing and infrastructure, with the land under their control a suitable site for this allocation. Should the Council not allocate these sites, then the strategic allocations/locations policies need to be updated to reflect the requirement for the delivery of small and medium scale parcels which could form part of the larger sites.

1.6 In the context of the above, it is instructive to note that Chichester District has an older population than national average, which has been predicted to increase by 42% between 2021- 2039. The increasing need for specialist accommodation should be addressed through specific allocations within the Local Plan, rather than the proposed approach of Policy H8.

1.7 Our response is focused on the following matters:

- The Spatial Strategy, settlement hierarchy and the distribution of development across the District;
- The overall amount of new housing required within the new plan period;
- The need for specialist accommodation;
- The status of Southbourne and the role and function it plays; and
- The strategic allocation proposed at Southbourne in Policy AL13.

1.8 In preparing the Local Plan Review, the Council will need to ensure that it complies with paragraph 35 of the National Planning Policy Framework (NPPF) (2021) which sets out four tests to ensure the plan is 'sound'. These are as follows:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet needs from neighbouring areas are accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross- boundary strategic matters that have been dealt with rather than deferred, as evidenced by statements of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.9 We are mindful that the Government has recently published a consultation concerning potential amendments to the NPPF. Paragraph 1 of that consultation document indicates that the government is committed to "building more homes" whilst Paragraph 6 explains that the government "remains committed to delivering 300,000 homes a year by the mid-2020s".

1.10 In the proposed revisions, paragraph 1 makes clear that the NPPF provides "a framework within which locally-prepared plans can provide for sufficient housing and other development in a sustainable manner." At paragraph 60 the overall aim of a Local Plan is identified as meet[ing] as much



housing need as possible with an appropriate mix of housing types to meet the needs of communities.

1.11 It is clear therefore that the potential amendments to the NPPF firmly intend that Local Plans, including this one, continue to provide a sufficient supply of housing land to meet identified needs.

## 2 Objectives and Spatial Strategy

### Objectives of the Local Plan

2.1 The Submission Plan has identified key challenges and opportunities that influence future planning, across the three areas of the District, and how it aims to address these through planning policies and proposals.

2.2 Within the consultation document, the strategic objectives presented by the Council are structured into specific categories, ensuring housing and neighbourhood objectives are clearly set out for the plan period.

2.3 Amongst these is the objective to increase housing supply; increase provision of affordable housing; and promote the development of mixed, balanced and well-integrated communities. These are consistent with the NPPF's policy objective to significantly boost the supply of housing in paragraph 60. In this context, it is right that the Local Plan's development strategy is founded on this objective, ensuring sustainable development which responds to social, economic and environmental considerations that meets the needs of the plan area.

2.4 These objectives frame the policies and proposals for future development across the plan area to create sustainable neighbourhoods; this demonstrates, as a matter of principle, that the Local Plan intends to be positively prepared and justified, albeit there are limitations on how this is achieved in practice when the policies and proposals are considered.

2.5 The NPPF states at paragraph 22 that strategic policies should look ahead over a minimum 15 year period from the date of the Plan's adoption. The Local Plan aims to cover the period of 2021- 2039, which is 18 years. However, this plan has not been adopted yet and it is considered unlikely that this Local Plan will be adopted before 2024-25. Therefore, the Plan may not cover the required plan period of 15 years and the Council should extend the plan period to at least 2040 to ensure this requirement is met.

#### Policy S1: Spatial Strategy

2.6 The Spatial Strategy is accompanied by the Key Diagram (Map 3.1), identifying the distribution of development and infrastructure provision across the plan area.

2.7 The strategy aims to build on the existing Local Plan, focusing growth at Chichester city, as the main sub-regional centre, and at two settlement hubs along the east-west corridor at Tangmere and Southbourne.

2.8 Policy S1 specifically identifies the broad approach to providing sustainable development, in accordance with the Local Plan Objectives, ensuring development is focused principally along the east-west corridor. It aims to distribute development in line with the settlement hierarchy, ensuring development is located in the larger and more sustainable settlements.

2.9 This accords with paragraph 20 of the NPPF which requires strategic policies to set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for housing, infrastructure, community facilities along with policies that seek to conserve and enhance the environment.

2.10 Paragraph 105 of the NPPF states that the planning system should actively manage patterns of growth in support of these objectives. With significant development being focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

2.11 Paragraph 69 of the NPPF sets out how small and medium scale sites can make an important contribution to meeting the housing requirement. Part d) identifies how working with developers to encourage the sub division of large sites could help to speed up the delivery of homes.

2.12 In this context, Policy S1 (6) outlines how non-strategic provision is made for small scale housing developments consistent with the indicative housing numbers set out in Policy H3, however this does not identify an approach to medium scale sites. Consequently, the Local Plan should allocate small and medium scale sites for residential development.

2.13 Should the Local Plan not allocate these scale sites, then there should be parcels within the BLDs identified as medium scale sites for early delivery in the plan period without prejudicing the BLDs. Policy S1 should be amended to include medium scale sites and to require flexibility to the housing target. This is discussed further in respect of Policy A13.

2.14 Policy S1 (7) states that strategic allocations and locations will be made through either this emerging Local Plan, the extant Site Allocation Development Plan 2014-2019 (or subsequent Site Allocation Development Plan Document (DPD)) and through Neighbourhood Plans. Notwithstanding the allocations in the emerging Local Plan, the most appropriate future mechanism is the Site Allocations DPD, which has to meet the 'tests of soundness' rather than 'basic conditions'. This more rigorous approach to plan making is better able to address the site selection process and assessment of delivery requirements that a strategic allocation will need to demonstrate, particularly when taking account of the scale of growth proposed at Southbourne.

2.15 Lastly, the final paragraph of Policy S1 states that to ensure that the Plan's housing requirement is delivered, "the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in accordance with this Strategy". The wording of this should be amended to state flexibility will be needed rather than may be needed, to ensure there is the ability to mitigate delays on allocations being brought forward by alternative proposals in order to meet the housing requirement over the plan period.

2.16 The use of the Authority Monitoring Report to control this is considered an acceptable approach, and policies A6 to A15 should reflect this requirement for flexibility. In practical terms, the LPA will need to consider performance in bringing forward and delivering large-scale development and enable alternative solutions where the required outcomes are not being achieved. This is discussed later in relation to Policy A13 specifically.

#### Policy S2: Settlement Hierarchy

2.17 The consultation document sets out a Settlement Hierarchy which is to serve as the framework for the Council to achieve its vision for the plan area, meet the scale of development required and enhance the quality of the built natural, historic, social and cultural environments, whilst sustaining the vitality of communities. This hierarchy seeks to deliver sustainable development that will support the role and function of different places within the plan area.

2.18 In this regard, Policy S2 is consistent with the NPPF acknowledging how "significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, improve air quality and public health." (paragraph 105 refers). The Settlement Hierarchy ensures that new development is located in areas where residents have access to facilities and services and a range of public transport networks.

2.19 Chichester city is identified as the Sub-Regional Centre, with four Settlement Hubs being identified at East Wittering/Bracklesham; Selsey; Southbourne and Tangmere. This is a continuation of the existing spatial strategy in the Adopted Local Plan and consistent with the principle of

locating new development at the most sustainable locations.

2.20 Southbourne is rightly identified as a Settlement Hub due to its range of local services and facilities, key public transport connections and employment/educational opportunities accessible via non vehicular methods of travel. The approach to Southbourne is discussed later at Section 4 and at Policy A13.

2.21 Accordingly, this strategic policy is positively prepared and justified, and is consistent with national policy promoting sustainable patterns of development.

### 3 Overall amount of Housing

#### Policy H1 Meeting Housing Needs Housing Need

3.1 Paragraphs 60 and 61 of the NPPF state that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.

3.2 Only in exceptional circumstances could an alternative approach be justified. But even then, that alternative approach will also need to reflect current and future demographic trends and market signals.

3.3 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan period, amounting to 575dpa.

3.4 This is lower than both a. the standard method figure of 638 dpa; and, b. the Preferred Approach figure in the previous consultation, of 650 dpa which included accommodating some unmet need arising from the South Downs National Park (SDNP) area. This shortfall will amount to over 1,100 dwellings across the plan period. Without any Statements of Common Ground being published by the Council or evidence of the shortfall being accommodated elsewhere, this remains unaddressed.

3.5 It is highly germane that the current Local Plan adopted a lower housing figure than the identified need of 505dpa, proposing instead to deliver 435dpa.

#### Affordability in Chichester

3.6 The affordability ratios have risen from 12.38 in 2015, when the current Local Plan was adopted, to 14.61 in 2021 for Chichester, which is significantly higher than the current 9.1 national average, increasing the need for affordable housing within Chichester.

3.7 Between the 2011 and 2021 census, the number of people ages 50 to 64 years rose by over 3,100 (an increase of 13.4%), while the number of residents between 35 and 49 years fell by approximately 1,900 (8.5% decrease).

3.8 Chichester's worsening affordability ratios and aging population, which typically occurs in line with house price increases, demonstrate the clear need to increase the housing delivery to meet current and future needs (in line with the NPPF), and maximise the potential for housing in this District. The current strategy to suppress housing provision will only exacerbate these problems.

3.9 With the Submission Plan proposing to not meet the identified need, this once again will be an issue which moves onto the next Local Plan, failing to tackle key issues across the District such as affordability and lack of housing land supply. These issues cannot simply be moved onto the next Local Plan, they should be addressed now.

#### Constraints for development

3.10 The lower figure of 575dpa reflects both the infrastructure constraints along the A27 and at the

Waste Water Treatment Works, but also no longer accommodating unmet need from SDNP.

3.11 The Transport Study (January 2023) assesses the capacity levels, with particular focus on the A27. Although the Council state that 535dpa is the highest level of development per year achievable, the conclusions of this latest Study state, at paragraphs 5.6.5 and 11.2.3, that development of 700 dpa could be accommodated (in the southern plan area) through the mitigation proposed in the previous scenario of 535dpa with some additional mitigation at the Portfield and Oving roundabout.

3.12 This Transport Study (2023) was published following the preparation of the Sustainability Appraisal which refers to the 2018 study, therefore the latest evidence on highways matters has not been considered within the preparation of this Local Plan.

3.13 This is fundamental to the Plan's approach – increasing the housing requirement could assist with funding those additional highway improvements, in line with the recommendations of the Transport Study at Section 9.3 to prioritise junctions to avoid delays to housing delivery. This should be further reviewed by the Council to ensure the District's need is not being understated. It is recommended the housing need figure is reviewed in line with this evidence and the need to meet the minimum of the standard method figure of 638dpa, and aim to return to the 650dpa previously proposed.

#### Duty to Co-Operate

3.14 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

3.15 The East Hampshire Local Plan Review has identified 100dpa for the SDNP area of the District, below the identified need of 112dpa for the District's area and the overall requirement of 447dpa for the SDNP (Housing and Economic Development Needs Assessment 2017). In effect, in combination with Chichester, the National Park is needing to accommodate some 30 more dwellings per annum without any assessment as yet as to whether this can be achieved given the statutory protection that is afforded to it.

3.16 Whilst a Statement of Common Ground is referred to, it has not been published and therefore it is not possible to determine whether the decision not to make a provision for the National Park area is soundly based.

3.17 Previous evidence for the Preferred Approach demonstrated how the figure of 650dpa was achievable and necessary to help with the worsening affordability ratios across Chichester and the neighbouring authorities. Having removed provision for unmet need it is considered this plan has not been positively prepared.

#### Summary

3.18 Policy H1 clearly sets out how the majority of housing is to be delivered along the east-west corridor, with 535dpa in the southern plan area and 40dpa in the northern plan area. This is consistent with the Spatial Strategy and the Settlement Hierarchy, Policies S1 and S2, and the overarching objective of locating new housing at the most sustainable locations in the plan area.

3.19 By limiting the amount of housing there will be fewer schemes contributing to the required infrastructure improvements. Without developer contributions to fund wholesale upgrades to this infrastructure there is a risk of pushing the problem down the line for the next Local Plan to address, whilst problems with affordability and an aging population are further exacerbated.

3.20 All future schemes will be required to mitigate their impact on infrastructure including highways and utilities, and there is an opportunity for small to medium scale sites to be delivered in the short term whilst the larger allocations and/or the majority of the larger allocations await the upgrading of these works.

3.21 Currently, the proposal to reduce the overall housing supply for the new plan period is not supported, and the Council should review the Transport Study with the intention of meeting the assessed level of local housing need in full. Without the identified housing requirement being met in full the problem of the younger population being unable to afford to remain in Chichester will continue, further growing the gap in workforce and an increasingly aging population.

3.22 Therefore, this policy is not positively prepared, justified or consistent with the NPPF.

Policy H2 Strategic Locations/Allocations 2021-2039

3.23 The wording of 'at least' within Policy H1 provides flexibility on the ability to achieve the minimum amount of housing considered necessary by the Council, in line with Policy S2. Although this quantum is not agreed, the approach using 'at least' is considered a sensible approach to allow the achievement rather than under delivery of much needed open and market housing.

3.24 The strategic locations/allocations set out in Policy H2 do not reflect this flexible approach. Instead, the sites are fixed as exact number of dwellings for those locations.

3.25 Paragraph 119 of the NPPF requires planning policies to promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

3.26 Policy A13 is a BLD and is fixed at 1,050 dwellings within Policy H2, this does not allow for the masterplanning approach to further assess the actual capacity and the best use of this land.

3.27 As such flexibility should be embedded into the wording of Policy H2 to ensure that the intention of Policy S2 is achieved; the housing target of at least 10,350 dwellings across the plan period (Policy H1) is met; and the land identified for development is most effectively used.

3.28 Therefore, it is suggested that Policy H2 includes the wording "at least" before the quantum of development for any strategic location or allocation. For example, Policy A13 would instead state "at least".

Policy H8 Specialist accommodation for older people and those with specialised needs

3.29 National Planning Practice Guidance for Housing for Older and Disabled People states how plan-making authorities should set clear policies to address the housing needs for groups with particular needs such as older and disabled people.

3.30 The Housing and Economic Development Needs Assessment (HEDNA) (April 2022) assesses the period between 2021-2039 for older people and those with a disability.

3.31 This concludes that there will be a 42% increase in the population above 65 years old, amounting to 67% of the total population growth.

3.32 The HEDNA sets out how the East-West Corridor has a higher percentage of over 65 year olds (24.7%) compared to both Chichester City (24.2%) and the Plan Area North area (23.4%).

3.33 The needs arising from this, amounts to between 2,131 and 2,872 additional dwellings with support or care, and a need for 429-800 additional nursing and residential care bedspaces. This equates to approximately 17-24% of all homes needing to be some form of specialist accommodation for older people.

3.34 In this context, the HEDNA makes an important recommendation that the Council allocate specific sites for housing with care to ensure the identified needs are met. In contrast Policy H8 is a criteria based policy that seeks specialist accommodation for older people on housing sites over 200 units based on evidence of local need.

3.35 As written, there is no confirmation on the quantum of specialist accommodation that this policy or other site allocations will secure and how the specific need for each application is calculated. Policy H8 fails to address the identified overall need clearly, as required by National guidance. Therefore, it is recommended the Local Plan allocates sites to deliver this type of accommodation as intended by the HEDNA.

3.36 This approach risks the land on these sites being unable to deliver both the expected market/affordable housing and the specialist accommodation on site.

3.37 The land under Hallam's control would be a suitable site for this type of accommodation, which is situated along the east-west corridor in a sustainable location on the edge of Southbourne.

#### 4 Southbourne

4.1 Southbourne is a key area in the District, in terms of existing development, its status as a Settlement Hub and its potential to accommodate future development.

Role of Southbourne

4.2 Southbourne is identified as a Settlement Hub within Policy S2.

4.3 Southbourne is located within the east-west corridor with a range of existing facilities, good transport links, and employment opportunities both to the east and the west.

4.4 As set out in the Submission Plan, Southbourne has good access to educational facilities serving the residents, including primary schools, junior schools and secondary schools. There are a number of convenience stores and other community services and facilities such as a GP practice, pharmacy and places of worship.

4.5 The Bourne Community Leisure Centre provides local residents with access to community sports facilities. Access to public open space is also good through connections to Southbourne Recreation Ground. There is potential for more open space to be provided for local residents within the Local

Plan Review and the strategic allocation proposed and this approach is embedded within our own Vision Document.

4.6 A key focus of the Sustainability Appraisal and the Submission Plan is for schemes to promote a modal shift in transportation. The strong public transport links within Southbourne to the wider surrounding area allows access to employment opportunities within the east-west corridor.

Southbourne has strong public transport connections to the local and wider area, through bus and train services, to areas including: Chichester, Portsmouth, Havant, Littlehampton, Brighton, Southampton and London.

4.7 For these reasons, Southbourne is rightly designated as a Settlement Hub and is eminently suitable to serve as a BLD.

4.8 The Southbourne Level Crossing Report May 2021 analyses the options for delivering the railway crossing at Southbourne. It concludes that circa 750 dwellings can be delivered north of the railway line before triggering the requirement for a new crossing. The report highlights how sites south of the rail line are not likely to impact on the level crossing and can therefore be delivered earlier than await the railway line improvements.

4.9 Therefore, in this context it would be appropriate to allocate small and medium scale sites to the south of the railway, which is less constrained by the capacity restriction on the railway crossing.

4.10 The land under Hallam's control is to the south of the railway line, would help facilitate a future new railway crossing to the north of the site, and would be of a medium scale to deliver housing early in the period plan.

Strategic Allocation A13

4.11 The Key Diagram appears to suggest that new development is to be located to the west and east of Southbourne, remedying the previously unsuccessful approach of focusing development only to the east. Similarly, the Key Diagram acknowledges the need for development to the south of the railway line, facilitating development north of the railway line. It is recommended the wording of the policy should be updated to reflect this diagram, as suggested below:

Provision will be made for a mixed use development within the broad location for development to the west and east of Southbourne, as shown on the Key Diagram.

4.12 Previously, the Preferred Approach consultation document set out at Policy AL13 a minimum of 1,250 dwellings at Southbourne and to be identified in the revised Southbourne Neighbourhood Plan. (emphasis added)

4.13 The Submission Plan now allocates Policy A13 for 1,050 dwellings and will be established through the making of allocation(s) in the future Site Allocation DPD or the revised Southbourne NP. This strategic allocation is to act as a mixed use extension to the existing settlement.

4.14 It is acknowledged that the land north of Cooks Lane (Application number: 22/00157/REM) received Reserved Matters approval in August 2022 for 199 dwellings, with the reduction in quantum of development for the BLD reflecting this committed development. A practical effect of this is that this consent will not contribute to the wider infrastructure requirements associated with a larger scale of development.

4.15 It is disappointing to see the phrase "a minimum of" has been removed. This conflicts with the flexibility set out earlier in the consultation document, and also reduces the potential of making effective use of the land for housing that will assist in meeting the overall need of the District.

4.16 Policy A13 prescribes a number of requirements that must be met (criterion 1 – 16). These are considerations that reflect principles of place making and sustainable development and provide a sound framework for the preparation of the allocation through either mechanism.

4.17 One of these requirements states that future development "Provide[s] any required mitigation to ensure there is no adverse impact on the safety of existing or planned railway crossings." The existing Southbourne Neighbourhood Plan, at Objective 9, outlines the issues relating to the railway crossing and the plans for addressing this challenge in the future.

4.18 Related to this is the need for the provision of "suitable means of access to the site(s), securing necessary off-site improvements (including highways) ... to promote sustainable transport options."

4.19 The combination of the requirements relating to the railway crossing and the provision of a suitable means of access show the importance of accessibility to the A27, A259 and the east-west railway line, which are the principal public transport corridors for Southbourne.

4.20 Development will be well connected to Southbourne via footway and cycle connections to the east and offers the opportunity to help realise the construction of a new strategic road and bridge link over the West Coastway Rail Line through provision of land and proportionate contributions to this scheme.

4.21 Criteria 13 ensures there will be sufficient capacity within the relevant wastewater infrastructure before the delivery of development, which addresses (for Southbourne) the identified constraints for the District in relation to housing delivery.

4.22 The remaining requirements of Policy A13 cover the quality and range of development, the provision of education, community and transport facilities, provision of public open space and green infrastructure, and the impact of development on the landscape. These are each appropriate considerations for the Site Allocations DPD.

4.23 Having regard to the above, the allocation of 1,050 dwellings for Southbourne is, in part, appropriate.

4.24 However, this policy should allow for the delivery of small or medium scale parcels of land, in accordance with the NPPF at an early stage of delivery of the wider allocation to enable prompt and timely housing at Southbourne whilst infrastructure upgrades are commenced. The Local Plan should identify and allocate these smaller scale sites to ensure these can come forward early in the plan period.

4.25 A new criteria is proposed to be included in the wording of Policy A13, stating:

(17) To identify land for early delivery on small to medium scale sites which are not constrained by the need for a new railway crossing.

4.26 Therefore, the principle of a strategic allocation for mixed use housing is considered appropriate but amendments should be made to the wording of the policy to reflect the approach to flexibility, the inclusion of small and medium scale sites, and the dispersion of development to both the west and east of Southbourne.

Southbourne Neighbourhood Plan

4.27 As set out in the paragraph 10.56 of the Submission Plan, development phasing is a key issue to address through the allocation of development sites for this BLD.

4.28 Paragraph 70 of the NPPF states that "Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites suitable for housing in their area." Southbourne Parish Council should be aware of this when allocating the strategic sites, to ensure that there are a mix of housing sites, that could come forward sooner than the principal element of the larger strategic site.

4.29 Through the preparation of the Neighbourhood Plan, the Parish Council should take into account the allocation of smaller sites, which could come forward as part of and alongside the larger strategic site. This will ensure that there is not a delay in the provision of housing within Southbourne and

the plan area.

4.30 As set out previously, the most suitable mechanism for progressing the Southbourne BLD would be the Site Allocation DPD. Whether the sites are allocated through the Site Allocations DPD or the NP, there is a requirement to identify small and medium scale site.

Land to the north of Gosden Green

4.31 The land under Hallam's control to the north of Gosden Green, should either be allocated in the Local Plan as a medium scale site or should be a key component of the BLD. The site can deliver both market/affordable residential units and specialist elderly accommodation. The site will create flexibility in achieving the housing requirement of the plan area early on in the plan period.

4.32 The accompanying Vision Document demonstrates how as an early development parcel for the wider BLD, a series of key benefits in accordance with the 13 criteria of Policy A13 will be achieved.

4.33 The Proposed Submission Plan at Policy H8 identifies the need for specialist accommodation for older people and those with specialist needs. Although not set out in the Vision Document, this site can deliver, early in the plan period, much needed specialist elderly accommodation.

4.34 Figure 3 of the Vision Document presents the scheme's ability to connect into a wider masterplan for the strategic development, as it comes forward in the future. However, at the same time has the ability to come forward at an earlier rate being physically unconstrained and a well contained parcel of land.

4.35 Figure 9 provides context on connectivity, and the modal shift this scheme aims to achieve. The ability to walk to a range of services and facilities, including the train station further demonstrates the ability for the early delivery of this parcel of the BLD.

4.36 The impact of the highways network has been assessed for both a full residential scheme and specialist elderly housing, highlighting how the residential scheme will introduce approximately 55 new vehicles to the network at peak times, resulting in less than 1 car per minute in the peak hour. Either scheme will have a negligible impact on the highway network and would have a negligible impact on A27.

4.37 The site is to the south of the railway line, as previously mentioned, and would be unconstrained by the capacity constraint of the existing railway crossing.

4.38 For these reasons, the land under Hallam's control should be allocated within the Local Plan.

## 5 Conclusion

5.1 These representations are submitted on behalf of Hallam Land Management Limited.

5.2 In the context of national, local and neighbourhood planning policies, the Local Plan has an important role in providing policies and proposals for residential development to meet future needs.

5.3 The proposed objectively assessed need for housing across the plan area is not agreed, and the Council should review the latest transport evidence which currently do not demonstrate how there are exception circumstances, in accordance with paragraph 62 of the NPPF. The Council should also extend the plan period to ensure it meets the requirements of a minimum of 15 years in the NPPF.

5.4 Consistent with the established strategy to focus development in the District's east-west corridor, the Broad Location for Development to Southbourne as a Settlement Hub is, as a matter of principle, a sound proposition. Importantly the Key Diagram identifies the broad location for this development to the west and east of the settlement.

5.5 As discussed, there should be flexibility embedded into all strategic allocations, in particular those which are Broad Locations for Development through the use of the wording "at least". This will ensure that the "at least" quantum of housing delivery is met and affords flexibility to all housing sites coming forward.

5.6 The responsibility for allocating additional development land to meet this requirement has been given to either the Parish Council through the preparation of a new Neighbourhood Plan or through the Council reviewing the Site Allocations DPD. It is recommended that for the larger strategic allocations and locations the Site Allocations DPD is the more suitable mechanism for identifying land given the need to ensure that proposals are sound.

5.7 Whilst the scale of development proposed is strategic in nature, it is entirely appropriate to consider how different development parcels might contribute towards that and in particular early opportunities that facilitate larger scale development later in the plan period.

5.8 To this end, land to the west of Southbourne and south of the railway line could be allocated as the first phase of the strategic site allocation, as a medium size site, so that this southern section of the new link road is built to enable access to land to the north. This will reduce the pressure placed on the centre of Southbourne, the highway capacity on the A27, and the existing railway crossing.

5.9 By allocating small to medium scale sites in the Local Plan, this will bring forward development at a quicker pace and ensure that the objectively assessed needs for housing across the plan area are met each year. These can be delivered without prejudice to the larger strategic allocations and locations.

5.10 Currently, the Submission Plan fails to address the increasing need for specialist accommodation, with Policy H8 failing to secure specific delivery of such housing, instead moving this matter into major development schemes with no mechanism for assessing need at that stage. It is recommended that the Local Plan allocates sites for specialist accommodation.

5.11 Hallam control land to the west of Southbourne, which adjoins the land at Gosden Green which has already been built. The land controlled by Hallam could be: allocated as a medium scale site within the Local Plan; included as part of the western strategic allocation of Broad Location for Development at Southbourne; or could be allocated for specialist elderly accommodation, ensuring land is readily available for development early in the plan period to address identified needs.

5.12 This would be consistent with the development strategy for the Plan and positively contribute towards meeting future development needs of the plan area.

5.13 These representations have demonstrated that in part the Submission Plan has been positively prepared and justified, however the key recommendations in these Representations should be followed to ensure the plan preparation accords with Paragraph 35 of the NPPF.

### Change suggested by respondent:

It is recommended Local Plan allocates sites to deliver this type of accommodation as intended by the HEDNA. Site promoted at Land to North of Gosden Green is suitable.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sgn>  
Vision Document - <https://chichester.oc2.uk/a/sgy>

## Object

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** Obsidian Strategic [7973]

**Agent:** Andrew Black Consulting (Mr Andrew Black, MD) [7597]

### Summary:

The plan fails to adequately consider the need for housing for older people, given that the population over 65 across CDC is significantly in excess of the average in the county, south east and county as a whole.

Whilst this approach goes some way to addressing the care needs it is felt that the policy lacks effectiveness and should take a far more constructive and positive approach to the provision of housing for older people.

### Full text:

I write in response to the regulation 19 consultation version of the Chichester Local Plan 2021/2039 on behalf of my client Obsidian Strategic.

Obsidian Strategic have an interest in a site to the South of Main Road, in Hermitage, within the Southbourne Neighbourhood Plan Area. Further details in relation to the site are set out within the appendices of these representations and referred to throughout.

#### Housing Requirement

The identified housing need for Chichester District Council (CDC) as calculated by the standard method is 638 dwellings per annum (dpa). However, the local plan only seeks to provide 575 dpa or a total supply of 10,350 over the plan period (2021-2039). As result the proposed strategy represents an under supply of 1,134 over the plan period. Furthermore, the undersupply means that CDC is unable to accommodate the unmet arising from the South Downs National Park.

In recent years CDC has not been able to demonstrate a five year housing land supply nor has it delivered housing against the requirements of the Housing Delivery Test. It is therefore important that the unmet need is made up within the early part of the plan period.

Paragraph 5.2 of the plan states that the under supply is due to constraints across the district particularly the capacity of the A27.

Policy H1 (Meeting Housing Needs) sets out the housing target of 10,350 dwellings to be delivered over the plan period 2021-2039. Considering the existing commitments, allocations and permissions this gives a remaining figure without planning permission of 3,056 homes for allocation in the Local Plan.

#### Strategic Allocations

Policy H2 of the reg 19 plan sets out the following strategic site allocations which are carried forward from the 2015 Local Plan:

\*\*Table\*\*

Table 11 of the latest Annual Monitoring Report (AMR) (produced in November 2022) show the progress of delivery from these allocations:

\*\*Table\*\*

Table 12 of the AMR sets out the progress of the large sites towards future delivery as follows:

\*\*Table\*\*

The Housing Trajectory as set out in Appendix E of the Local Plan shows delivery of the existing allocations as set out under policy H2. Given that the Land at Shopwyke (A7) and the Land at Westhampnett/North-East Chichester (A9) already have permission for the number of dwellings in the allocation and construction has already started, there is no objection to the predicted levels of delivery as set out in the trajectory. However, the housing trajectory sets out delivery from the Land West of Chichester (Phase 2) (A6) and Tangmere SDL as follows:

\*\*Table\*\*

Given that neither of these sites have outline permission then the delivery of units from both sites in a little over 5 years from the adoption of the plan is considered wholly unachievable.

CDC has presented no evidence to justify how this timeframe would be achieved and it is considered that the trajectory is unreliable as a result.

The Local Plan sets out a Broad Location for Development at Southbourne which would be delivered through either the Neighbourhood Plan process or a Site Allocation DPD:

\*\*Table\*\*

The Housing Trajectory as set out in appendix E of the Local Plan sets out the following delivery from this site:

\*\*Table\*\*

Given that policy A13 remains as a 'broad area for development' it is not considered that there is adequate justification for the trajectory as set out. Notwithstanding the effectiveness of allocating a site in this way, an exact location for the housing is yet to be defined, nor is delivery through the neighbourhood plan/DPD confirmed (further details on this is set out within the reps). Until a more detailed site can be defined and delivery confirmed it is not considered that CDC is able to guarantee delivery of dwellings in the housing trajectory as it has done so within the plan.

#### Non-Strategic Parish Housing Requirements

Policy H3 sets out the following housing requirements from individual parishes.

\*\*Table\*\*

The supporting text of policy H3 sets out that if draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the

requirements of this Local Plan.

Table 13 of AMR identifies that there has been historically poor delivery of net housing completions from parishes:

**\*\*Table\*\***

The overall strategy as set out by CDC in the plan is highly dependent on the delivery of housing from Neighbourhood Plan areas. Whilst this approach is not un-sound in itself, it is considered that the plan in its current form allows for little mitigation or alternatives should delivery not come forward in the neighbourhood plan areas.

In order for the plan to be considered positively prepared and justified it is recommended that additional wording is added to policy H3 to state that individual applications can come forward on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

Southbourne

As set out, the Local Plan proposes a 'Broad Location for Development' at Southbourne for the delivery of 1,050 dwellings. This approach follows the withdrawal of the previously draft version of Neighbourhood Plan after it was found not to comply with basis conditions following examination in early 2022. Southbourne Parish Council is now pursuing a revised Neighbourhood Plan which has been submitted to CDC for a regulation 16 consultation. Obsidian previously responded to the regulation 14 consultation in late 2022 and these are appended to these representations.

The revised Southbourne Neighbourhood Plan does not seek to allocate any new housing allocations and instead takes a protectionist stance against any new development as an interim position whilst the Local Plan is prepared. However, once the Neighbourhood Plan is made, it would form part of the development plan for CDC. It is highly likely that a made Neighbourhood Plan in the form currently proposed by Southbourne would make the allocation of additional housing in the parish less likely rather than more likely.

The Sustainability Appraisal (SA) as prepared for the regulation 19 of the Local Plan sets out the proposed approach to Southbourne as follows:

3.1. With the decision of Southbourne Parish Council to no longer proceed with the inclusion of a strategic allocation in their neighbourhood plan, the Council considered three options for taking forward development in Southbourne, namely:

- Option 1 - redistribute the housing number elsewhere
- Option 2 - allocate a strategic site
- Option 3 - identify a Broad Location for Development

The SA goes on to set out the reason for option 1, for redistributing the housing number elsewhere, being discounted as follows:

3.2. As set out in the Housing Background Paper, the preferred spatial strategy is to focus the majority of growth at Chichester and the east west corridor, with a focus on the Settlement Hubs within the corridor. To redistribute the housing number to other parts of the plan area would not be consistent with the preferred spatial strategy nor reflective of the role of Southbourne as one of the more sustainable locations in the plan area capable of delivering strategic scale development. The ability to redistribute the number to other locations within the east/west corridor is also severely limited due to infrastructure constraints (impact on A27 junctions) or environmental restrictions (wastewater treatment capacity). For these reasons, Option 1 was discounted.

Whilst it is accepted that the redistribution of the entire requirement of 1,050 homes would be problematic, it is considered that CDC should have tested the allocation of other alternative sites such as that at Main Road, Hermitage and other suitable alternative sites.

The SA goes on to set out consideration of option 2 as follows:

3.3. In order to allocate a site in a Local Plan, it needs to have gone through a rigorous process to ensure that the Council can demonstrate that the allocated site is suitable, given reasonable alternatives, and is based on proportionate evidence. Given there is more than one site or combination of sites that could come forward as an allocation in Southbourne, a clear process setting out for why one site was chosen over another would be needed, informed by site specific technical information.

This is correct and it is therefore not accepted that an approach to allocate a broad area for development would be robust, deliverable or effective. The SA goes on to state:

3.5. The allocation of a strategic site at Southbourne would also be a significant change in approach at a late stage of the Local Plan preparation process. The additional technical evidence that would need to be undertaken to justify a Local Plan allocation at this stage would impact significantly in terms of delay to the finalisation of the Regulation 19 Local Plan and its subsequent submission to the Secretary of State for examination. For these reasons Option 2 was discounted.

This provides further weight to the position set out within these representations that the expectation of delivery from the 'broad area' at Southbourne is overly ambitious and it is clear there is significant technical work to undertake on the delivery of homes from the allocation as part of the future plan making process.

The SA goes on to set out the justification of option 3 as follows:

3.6. The identification of a BLD is consistent with the National Planning Policy Framework (NPPF). Paragraph 68 states that for years 6 -10 of the plan, local authorities should through their planning policies identify a supply of 'specific, developable sites or broad locations for growth'.

3.7. There is no definition of 'broad locations' in national policy. It is generally taken to be an area within which housebuilding could reasonably be expected to take place based on the availability of land having regard to the Housing and Economic Land Availability Assessment (HELAA). A BLD does not have a specific geographic location or physical boundary. Areas are identified as broad locations because at that stage it is not yet possible to identify the precise boundaries of a site until further detailed site work has been done. By identifying a broad location gives flexibility and may increase the prospect of appropriate and effective growth i.e. where there is some doubt as to the most effective site boundary could prevent growth coming forward or prevent the most sustainable solution. However, a broad location might be expected to accommodate a significant amount of development; in some cases a single site may be of a sufficient size to accommodate all of the potential development or a number of sites that abut other sites may be considered together.

This is not considered a rational approach to take. Whilst there is no definition of 'broad location' within national policy it is considered that the words 'specific' and 'developable' must be taken at their basic meaning and indeed as set out in the glossary of the framework. It is not considered that the allocation of such a large area for a 'broad location' would be specific, effective or justified against the tests of soundness in the NPPF.

The allocation of Southbourne under policy A13 would represent over 10% of the total housing delivery in the plan. This is considered too significant to leave to a broad location for development.

As set out, Southbourne Parish Council is already at advanced stages of a revised Neighbourhood Plan which does not include the allocation of any of the development parcel envisaged under policy A13. In terms of delivery through the Site Allocations DPD, the timetable for this is set out within the most recent Local Development Scheme (January 2023) which sets out the following:

**\*\*Table\*\***

As set out, the housing trajectory assumes delivery of dwellings from the allocation at Southbourne in 2028/29. Given that the Site Allocation DPD would not be delivered until Winter 26/27 at the earliest, and the delivery through the Neighbourhood Plan has been discounted by the progression of a NP without the allocation, then the deliverability of any development at Southbourne remains wholly unjustified within the plan period.

The SA goes on to set out the approach to alternative sites in Southbourne Parish as follows:

4.3. The 2021 HELAA assessed 41 sites in Southbourne Parish (see Appendix 1). Of these, 18 sites were discounted because the site either had planning permission/were under construction (five sites); it was within the Chichester Harbour Area of Outstanding Natural Beauty (AONB) (eight sites); there was insurmountable access issues (two sites); it was in Flood Zone 3 (one site); or there was a legal restriction on the site use (in this case a Section 106 Agreement restricting use to open space) (two sites). These sites were not considered further for inclusion within the BLD.

The land at Main Road was one of the sites discounted due to being located in the AONB. For the reasons set out within subsequent sections of these

representation, it is not considered that it was necessary to discount sites within the AONB as other councils have taken the decision to use such sites to meet housing need and not considered the AONB as an absolute constraint.

Specialist Accommodation for Older People

Para 5.41 of the regulation 19 of the Plan sets out the following:

The Housing and Economic Development Needs Assessment (HEDNA) 2022 estimates the greatest population increase in the district by 2039 to be those in age groups 75 and over. To support an ageing population there should be provision of suitable housing options for the differing needs of individuals, including:

- Sufficient adaptable and/or accessible market housing stock so that those wishing to remain in their own homes can do so as their needs change.
- Smaller homes, for those wishing to downsize, and bungalows.
- Extra care housing, for those able to live relatively independently but requiring on-site support.
- Care homes, for those needing additional support.

Table 8.1 of the HEDNA sets out the current population breakdown for separate groups over 65 and demonstrates that CDC has a significantly higher percentage in all age groups over 65 than the average in West Sussex, the South East or England:

\*\*Table\*\*

Policy 8.12 of the HEDNA goes on to set out the need for different groups as follows:

\*\*Table\*\*

The HEDNA sets out the following commentary in this regard:

8.41 It can be seen by 2039 there is an estimated need for between 2,131 and 2,872 additional dwellings with support or care across the whole study area. In addition, there is a need for 429-800 additional nursing and residential care bedspaces.

8.42 Typically for bedspaces it is conventional to convert to dwellings using a standard multiplier (1.80 bedspaces per dwelling for older persons accommodation) and this would therefore equate to around 238-445 dwellings.

8.43 In total, the older persons analysis points towards a need for around 2,369-3,317 units over the 2021-39 period (132-184 per annum) – the older person need equates to some 17-24% of all homes needing to be some form of specialist accommodation for older people.

Given the significant need for Specialist Housing Accommodation across the district it is vital that this is planned for adequately within the emerging Local Plan. The Planning Practice Guidance sets out why it is important to plan for housing needs of older people as follows:

The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.

Paragraph: 001 Reference ID: 63-001-20190626 Revision date: 26 June 2019

The PPG goes on to state how housing requirements of such groups should be addressed in plans:

Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people.

These policies can set out how the planmaking authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.

Paragraph: 006 Reference ID: 63-006-20190626 Revision date: 26 June 2019

Policy H8 states:

All housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people to include a support or care component. The specific type and amount of accommodation required will depend on the size and location of the site.

Proposals for specialist housing, such as homes for older people, student, HMOs or essential worker accommodation, and other groups requiring specifically designed accommodation will be supported where the following criteria are met:

- 1) There is an identified need;
- 2) It will not lead to a concentration of similar uses in an area that would be detrimental to the character or function of an area and / or residential amenity;
- 3) It is in close proximity to everyday services, connecting by safe and suitable walking / cycling routes or public transport for the intended occupier;
- 4) It can be demonstrated that the development is designed to provide the most appropriate types of support for the target resident;
- 5) It can be demonstrated that revenue funding can be secured to maintain the longterm viability of the scheme (if relevant to the type of accommodation proposed); and
- 6) The scheme is supported by the relevant agencies (if relevant to the accommodation type to be provided).

Proposals which may result in the loss of specialist needs accommodation will not be permitted unless it can be demonstrated that there is no longer a need for such accommodation in the plan area, or alternative provision is being made available locally through replacement or new facilities.

Whilst this approach goes some way to addressing the care needs it is felt that the policy lacks effectiveness and should take a far more constructive and positive approach to the provision of housing for older people.

The wide range of different housing typologies is set out within the Planning Practice Guidance as follows:

- Age-restricted general market housing: This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.
- Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager.
- Extra care housing or housing-with-care: This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.
- Residential care homes and nursing homes: These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes.

[Paragraph: 010 Reference ID: 63-010-20190626].

It is considered that a residential care home (including housing for dementia needs) could be developed on the Land South of Main Road without causing harm to the AONB and this would provide for a clear need within the village whilst also providing employment to local workers.

Development in AONB

The NPPF sets out the following in relation to development in the AONB at paragraph 172 as follows:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding



Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

Footnote 55 of paragraph 172 is relevant for the consideration of what is considered as major development and states:

For the purposes of paragraphs 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

No evidence is set out within the Local Plan or supporting evidence base to state what is considered to be a major development site in the district. Neither the Chichester Harbour AONB: State of the AONB Report (May 2018) or the Chichester Harbour AONB Landscape Character Assessment (April 2019) contain any references to what is considered to constitute a major development.

This is a matter which has been considered at length within other Local Plan examinations. As part of the evidence for its Local Plan, the South Downs National Park sought successive legal opinions from James Maurici QC on what should be considered as 'Major Development' in the AONB and have subsequently become widely known as the 'Maurici Opinions' in other Local Plan examinations. The opinions set out the following conclusions:

- It is a matter of planning judgement to be decided by the decision maker.
- Major development is to be given its ordinary meaning, and it would be wrong to apply the definition of major development contained within the Town and Country Planning (Development Management Procedure) (England) Order 2015. It would also be wrong to apply any set or rigid criteria for defining major development, and the definition should not be restricted to development proposals that raise issues of national significance.
- The decision maker may consider whether the proposed development has the potential to cause a significant adverse impact on the purposes for which the area has been designated or defined, rather than whether there will indeed be a significant adverse impact from the proposed development.
- The decision maker may consider the proposed development in its local context as a matter of planning judgement.
- There may be other considerations but which may not determine whether a proposed development is major development. For example, if the proposed development is Environmental Impact Assessment (EIA) development.
- The ordinary sense of the word 'major' is important and the decision maker should take a common sense view as to whether the proposed development could be considered major development.

In the Mid Sussex District Council Site Allocations DPD Evidence Base there is a topic paper setting out consideration of Major Development in the AONB and concludes that several of the allocations, in some cases up to 70 dwellings, would not be classed as major development in the AONB following a detailed review of each of the factors as set out in footnote 55 of the NPPF against each proposed allocation.

It is considered that this approach should have been undertaken for each of the individual sites discounted in the Local Plan (including Main Road, Hermitage), rather than simply discounting on the sole fact that they were in the AONB.

#### Sustainability Appraisal

The legal frameworks for SAs are set out within section 19 of the Planning and Compulsory Purchase Act 2004 which states that the authority must prepare a plan with the objective of contributing to the achievement of sustainable development. Moreover, the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 states that SAs must ensure that the potential environmental effects are given full consideration alongside social and economic issues.

It is not considered that the council has given full consideration to all effects nor are the conclusions of the SA in respect of those impacts robust and logical.

Paragraph 32 of the framework goes on to state that the SA should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

The SA sets out whether it was reasonable to explore higher growth scenarios as follows:

5.2.12 As discussed above, the PPG on Housing and Economic Needs Assessment sets out reasons for providing for 'above LHN' through local plans, referring to situations where there are "growth strategies for the area... (e.g. Housing Deals); strategic infrastructure improvements that are likely to drive an increase in [need]; or an authority agreeing to take on unmet need from neighbouring authorities..." Also, affordable housing needs can serve as a reason for considering setting the housing requirement at a figure above LHN, with the PPG stating: "An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes."

5.2.13 However, in the Chichester context there is little or no argument for exploring scenarios whereby the housing requirement is set at a figure above LHN, given the issues discussed above at paragraph 5.2.11. Unmet housing needs are a widespread issue across the sub-region, but there is no realistic potential to provide for unmet housing needs within Chichester. At the time of the Preferred Approach consultation (2018/19), the proposal was to provide for both locally arising housing needs in full and a proportion of the unmet needs arising from the SDNP (41 dpa). Also, it is noted that the SA report published as part of the consultation considered scenarios – considered to be 'reasonable' at that point in time – that would see the housing requirement set at figures significantly above LHN (800 dpa and 1,000 dpa were tested). However, at the current time, in light of the latest available evidence, scenarios involving setting the housing requirement at a figure above LHN can be safely ruled out as unreasonable.

It is not considered that a figure at or above the LHN would be considered unreasonable and that this matter has not been given full consideration (as per the requirements of the SA regulations), particularly in regard to the social impacts of not meeting housing need in full.

Appendix V of the SA sets out commentary in regard to Parish Scenarios. This sets out the following in relation to Southbourne (with emphasis added):

With regards to the extent of the broad location, this matter is considered fairly uncontroversial (for the current purposes of arriving at reasonable growth scenarios). Specifically, the proposal is to identify an area of search that includes developable HELAA sites that relate relatively well to the Southbourne settlement edge and avoid the Strategic Wildlife Corridor associated with the Ham Brook, also naturally mindful of the need to maintain a landscape gap to settlements within Chidham and Hambrook Parish, to the east. It is important to note that the total theoretical capacity of developable HELAA sites within this broad area is far in excess of the number of homes that would need delivered under any reasonably foreseeable scenario.

The broad location provides flexibility to identify a detailed allocation either through a Site Allocations Plan or, should the Parish Council wish to do so, a revised Southbourne Parish Neighbourhood Plan. Site selection considerations will likely include: transport and access (including mindful of links to the train station and by car to Portsmouth); accessibility and community infrastructure (mindful of the secondary school, recreation ground and employment area at the western edge of the village); heritage (e.g. there is a historic rural lane to the east, associated with two listed buildings), topography and landscape (including any visual links to the SDNP and/or the AONB) and the potential to secure a strategic scheme that delivers more than just new market homes, and potentially significant 'planning gain' for the local community.

With regards to the number of homes that should be supported, there is logic to further exploring the scale of growth that was previously considered through the now withdrawn Southbourne NP, and it is not clear that there is an argument for considering lower growth. Additionally, there is a clear argument for exploring the possibility of higher growth, to ensure a suitably comprehensive scheme, with a high level of 'planning gain'.

In conclusion, there are two scenarios for Southbourne Parish, namely completions, commitments and windfall plus either: 1) a broad location for 1,050 homes; or

2) a broad location for ~1,500 homes.

As set out, it is not considered that the SA has considered adequate reasonable alternatives to growth at Southbourne which would include allocation of sites elsewhere in the village including within the AONB that can deliver in the early part of the plan period.

#### Conclusions

There are significant concerns on the soundness of the plan in terms of whether it is effective, justified, positively prepared or consistent with national policy in accordance with paragraph 35 of the NPPF.

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

The Council has not adequately considered reasonable alternatives through the Sustainability Appraisal as published alongside the plan which should have included consideration to the allocation of the site in order to deliver housing in the early part of the plan period.

The plan fails to adequately consider the need for housing for older people, given that the population over 65 across CDC is significantly in excess of the average in the county, south east and county as a whole.

CDC discounted all sites within the AONB, including the site at Main Road, Hermitage, at an early stage of the plan making process. This is not considered effective or consistent with national policy which does not class such sites as an absolute constraint. Other local authorities have allocated such sites in order to deliver the full objectively assessed needs.

ABC will continue to make further representations on the deliverability of the site as part of the plan making progress.

#### Change suggested by respondent:

It is considered that a residential care home (including housing for dementia needs) could be developed on the Land South of Main Road without causing harm to the AONB and this would provide for a clear need within the village whilst also providing employment to local workers.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Regulation 19 - Andrew Black Consulting - obo Obsidian - redacted - <https://chichester.oc2.uk/a/trf>

## Object

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

#### Summary:

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seek to understand/resolve several matters e.g., trip generation.] We seek to understand and resolve several matters including but not limited to:

- reliance on others e.g., service providers to provide the required services
- how, when, and where additional revenue will be sought to cover the cost of services
- how the Council will assess what would be realistic trip generation
- which locations have been considered for specialist accommodation?
- how many facilities have been considered?
- How Over 55's accommodation has been distinguished from aged care accommodation
- How residents in Over 55's accommodation in full-time employment (and still commuting to and from work) have been considered
- what percentage of the population are anticipated to live in these facilities?

#### Full text:

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable

travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:  
“Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new

circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of  
 - 10,359 dwellings  
 - 114,652 net additional sqm new floorspace  
 Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

Legally compliant: Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** Home Builders Federation (Mr Mark Behrendt, Local Plans Manager SE and E) [7316]

**Summary:**

Policy is unsound as it is not effective. Only through site allocations can the Council be certain the needs of older people be met. Important that policy provides: effective mechanism through which decisions on accommodation can be made on basis of need for and supply of such development; sets out how many specialist homes for older people are required in Chichester; commitment is made to monitoring supply against level of need across plan period; presumption in favour of development be applied if supply of land for such development falls below identified annual needs. Needs to be clear as to what is required and how a decision maker should react to ensure those needs are met. By including level of need in policy or supporting text, greater weight will be given to this in decision making, leading to the more positive approach that is required to meet housing the needs of older people.

**Full text:**

See attachment.

**Change suggested by respondent:**

Set out the level of need to be clear what is required

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** HBF rep Chichester LP march 2023 redacted - <https://chichester.oc2.uk/a/sg6>

## Object

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Object to policy as currently worded; runs counter to provisions of A6 allocation policy and masterplan; retrospective inclusion would threaten development approach and potentially viability.

**Full text:**

We object to this policy as currently worded. Whilst recognizing there may be a need for specialist housing for older persons, the policy as worded runs counter to the provisions of the A6 West of Chichester allocation policy and masterplan for the site, neither of which include for specialist accommodation for older persons referenced in the West of Chichester Allocation policy. Miller and Vistry made comments on the regulation 18 plan (DM2 as was) to the same affect but have had no subsequent discussions with CDC about such a requirement. T Notwithstanding the above, in response to comments from the Housing Officer to the phase 2 application, the phase 2 proposals do include a proportion of bungalows to cater for down sizers and older persons.

**Change suggested by respondent:**

As a solution, and assuming such a policy is justified (on which no comment is made) it is recommended that the policy is reworded in a similar way to Policy H6 (subject to our comments on that policy) to make it clear that provision of specialist accommodation on SDLs will be only expected where allowed for in the relevant allocation policy having been discussed and agreed with the relevant developer or site promoter.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** 784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8n>

## Support

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

The demographics of our area are different from other areas and it is recognised that our ageing population will grow during the plan period.

It is also clear that more specialist accommodation will be needed in our area for both married and single pensioners.

We support the outlined policy

Paras 5.53 – 5.58 suggest that CDC's Planning team will have a significantly greater workload if they are to vet these applications for delivery on the essential detail. Are they sufficiently resourced? Do they have planners with this specialist knowledge?

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenities and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the

District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of “cart before the horse” thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District’s population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council’s record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to ‘Hold the Line’ vs. ‘Managed Retreat’ in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city’s ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called ‘resilient road’ with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the “most crash prone A road” in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** The Planning Bureau on behalf of McCarthy Stone [8093]

**Agent:** Miss Natasha Styles [8040]

**Summary:**

In order for Policy H8 to be more positively prepared to assist in delivering the substantial need for specialist housing for older people, policy H8 should be amended in line with our recommendation. This should ensure that some of the substantial need for specialist housing for older people is delivered without applicants having to consider policy requirements that would not be relevant for such schemes.

In addition, developers of older people's housing schemes should not be required to demonstrate need given the substantial need identified

**Full text:**

Policy H8 Specialist accommodation for older people and those with specialised needs

Thank you for the opportunity to comment on the Chichester Local Plan 2021-2039 Proposed Submission Draft (Regulation 19) consultation. McCarthy Stone is the leading provider of specialist housing for older people.

Whilst we are encouraged by 'Policy H8 Specialist accommodation for older people and those with specialised needs' we feel that trying to combine a policy on encouraging specialist housing for older people and specialist accommodation has resulted in a confusing policy that is not positively prepared. Given the substantial need for specialist housing for older people identified within the Chichester Housing and Economic Development Needs Assessment, 2022, Icen (HEDNA) we feel the policy should be redrafted to make it clearer and more consistent with national policy as detailed in our response to policy H5 Housing Mix and specifically paragraphs 001 Reference ID: 63-001-20190626, 003 Reference ID: 63-003-20190626 and 006 Reference ID: 63-006-20190626 of PPG Housing for Older and Disabled People. This should ensure that some of the substantial need for specialist housing for older people is delivered without applicants having to consider policy requirements that would not be relevant for such schemes.

In addition, developers of older people's housing schemes should not be required to demonstrate need given the substantial need identified.

**Change suggested by respondent:**

Recommendation

In order for Policy H8 to be more positively prepared to assist in delivering the substantial need for specialist housing for older people, policy H8 should be amended so that it reads as follows:

Policy H8 Specialist accommodation for older people and those with specialised needs

Specialist housing for older people

All housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation housing for older people.

The Council will also support proposals delivering specialist housing for older people across all tenures in sustainable locations. Specialist housing for older people should be located in in close proximity to everyday services, be well connected by safe and suitable walking / cycling routes or public transport for the intended occupier.

Specialist housing

Proposals for specialist housing, such as homes for, students, HMOs or essential worker accommodation<sup>37</sup>, and other groups requiring specifically designed accommodation will be supported where the following criteria are met:

1. There is an identified need;
2. It will not lead to a concentration of similar uses in an area that would be detrimental to the character or function of an area and / or residential amenity;
3. It is in close proximity to everyday services, connecting by safe and suitable walking / cycling routes or public transport for the intended occupier;
4. It can be demonstrated that the development is designed to provide the most appropriate types of support for the target resident;
5. It can be demonstrated that revenue funding can be secured to maintain the long-term viability of the scheme (if relevant to the type of accommodation proposed); and
6. The scheme is supported by the relevant agencies (if relevant to the accommodation type to be provided).

Proposals which may result in the loss of specialist needs accommodation will not be permitted unless it can be demonstrated that there is no longer a need for such accommodation in the plan area, or alternative provision is being made available locally through replacement or new facilities.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** VIVID (Mr Matthew Turpin, Public Affairs Lead) [8095]

**Summary:**

We consider this needs to be better defined. Given the demographic changes and if the district wishes to see a greater proportion of specialist older people's housing delivered at low cost, greater clarity is needed.

**Full text:**

We consider this needs to be better defined. Given the demographic changes and if the district wishes to see a greater proportion of specialist older people's housing delivered at low cost, greater clarity is needed.

**Change suggested by respondent:**

At present, we do not consider the existing reference to "opportunities should be taken..." to be sufficient to really drive delivery. However, any final policy should allow for flexibility in the provision of suitable housing relative to the site in question. We would also like to see a more universal policy, which takes into account disability and other need requirements.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

**Summary:**

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component.

**Full text:**

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

**Chapter 2: Vision & Strategic Objectives**

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

**Chapter 3: Spatial Strategy and Settlement Hierarchy**

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

**Policy S1 Spatial Development Strategy**

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

**Policy S2 Settlement Hierarchy**

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in



North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

#### Chapter 4: Climate Change and the Natural Environment

##### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

##### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

##### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

#### Chapter 5: Housing

##### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

##### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

##### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

##### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'.  
However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

#### Chapter 6: Place-making

##### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

#### Chapter 7: Employment and Economy

##### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period." Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

#### Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council's proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE's land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

##### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of

Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

#### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

##### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

**Change suggested by respondent:**

We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
 D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
 East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
 Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
 Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
 Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

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## Object

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

To be consistent with the approach outlined in the first paragraph of Policy H6/H8, it is suggested requirements are set out and justified in relevant site-specific allocation policies. Any specific requirements for non-allocated sites should also be clarified, with appropriate flexibility built in to ensure this can account for specific site circumstances.

**Full text:**

See attachment.

**Change suggested by respondent:**

Suggest first paragraph be amended to:

'All New housing sites over 200 units, which are allocated in the Local Plan, will provide specialist accommodation for older people as set out in the relevant site-specific allocation policies. The specific type and amount of accommodation required will depend on the size and location of the site.'

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/smp>

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## Support

**Document Element:** Policy H8 Specialist accommodation for older people and those with specialised needs

**Respondent:** Chichester District Council Housing Team - Local Housing Authority (Mark Bristow) [7764]

**Summary:**

The Housing Authority strongly advocate for the inclusion of specialist accommodation for older people, and the intention is to secure affordable housing across all specialist accommodation for older people, including Extra Care to meet the needs of those unable to secure such accommodation in the open market.

**Full text:**

Chichester Local Plan – Proposed Submission

Duty to Co-operate

The Statutory Housing Authority welcomes the opportunity to comment on the Chichester Local Plan 2021 – 2039 and strongly commends the Local Planning Authority on progressing with its plan-making activities at a time when a number of Local Planning Authorities across the country have stalled owing to a state of flux in the national policy picture.

Chichester District Council Housing Authority considers that the Chichester Planning Policy Team have engaged in a pro-active manner in an ongoing basis to meet the needs of our communities. Furthermore, the authority has been consulted throughout in the crafting of the proposed housing policies H1 – H10 and confirm that the Duty to Co-operate has been met in this regard.

Is it legally compliant?

The Housing Authority consider the plan as presented, to be legally compliant and have no specific comments in relation to the Sustainability Appraisal, Habitats Regulations Assessment or the Statement of Community Involvement.

Soundness

The Housing Authority is satisfied that the plan is positively prepared and seeks to meet the housing need for both market and affordable housing, so far as is practicable, whilst having consideration for the various constraints of the plan area including AONB designation, heritage matters, flooding matters and infrastructure capacity issues. The Housing Authority believe the plan seeks to balance between these competing demands in a sustainable and realistic manner for the plan period 2021 -2039.

The Housing Authority consider the plan provides for a reasonable evidence based strategy which is consistent with national planning policy and guidance and contributes to the delivery of sustainable development, having regard to the reasonable alternatives available.

Meeting housing need

The Housing Authority considers the plan meets housing need so far as is realistically possible considering the constraints of the plan area.

Policy H1, including the Broad Spatial Distribution - is noted.

Policy H2, the strategic locations are broadly located in areas where the Council held Housing Register indicates the highest level of housing need.

Policy H3 - is noted.

Policy H4 – The Housing Authority fully endorse and support the provisions contained in Policy H4.

Policy H5 - The Housing Authority is supportive of the housing mix outlined in policy H5 and the ability to reflect local need where it is appropriate to do so. Furthermore it is right to provide this level of certainty, whilst allowing for some degree of flexibility.

Policy H6 - The Housing Authority are in full support of this policy and fully endorse the opportunity for Neighbourhood Planning groups to bring forward Self and Custom Build serviced plots. The Housing Authority are encouraged by the potential that may arise with the call for sites for such plots. We look forward to working with our colleagues and communities to bring forward Self and Custom Build opportunities within the plan area.

Policy H7 - The Housing Authority recognise the difficulties in bringing forward exception sites for affordable housing and welcome this policy which seeks to enable the needs of our rural communities to be met.

Policy H8 - The Housing Authority strongly advocate for the inclusion of specialist accommodation for older people, and the intention is to secure affordable housing across all specialist accommodation for older people, including Extra Care to meet the needs of those unable to secure such accommodation in the open market.

H9 – The Housing Authority support the policy to retain accommodation for rural workers.

H10-H14 – The Housing Authority has no observations to make in relation to these policies.

**Change suggested by respondent:**

-

Legally compliant: Yes

Sound: Yes

Comply with duty: Yes

Attachments: None

**Object**

**Document Element:** Policy H9 Accommodation for Agricultural, Horticultural and other Rural Workers

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

The policy and appendix C fails to deal with new businesses

**Full text:**

The policy fails to deal with new businesses

**Change suggested by respondent:**

Tere should be provision within the policy and in Appendix C to allow a 3yr temp permission for a caravan or other temporary accommodation to enable a business to develop and to then demonstrate viability

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: None

## Support

**Document Element:** Policy H9 Accommodation for Agricultural, Horticultural and other Rural Workers

**Respondent:** Mr Simon Davenport [7100]

**Summary:**

This policy has been subverted on occasion.

**Full text:**

This policy has been subverted on occasion.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy H9 Accommodation for Agricultural, Horticultural and other Rural Workers

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

Over the last five years the horticultural industry has seen a chronic shortage of workers at all skills levels. This has been a major problem locally due to the very high accommodation and transport costs in the Chichester area.

Providing new, purpose built staff accommodation facilities on site can solve many of these problems. On site accommodation for workers would attract many people who would otherwise not be able to afford to rent rooms in the wider Chichester area (Havant, Selsey, Bognor Regis and Littlehampton) and would also drastically reduce their transport costs.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Not specified

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** WSGA - CDC - Local Plan - HDAs - 8th March 2023 redacted - <https://chichester.oc2.uk/a/t67>

## Support

**Document Element:** Policy H9 Accommodation for Agricultural, Horticultural and other Rural Workers

**Respondent:** Chichester District Council Housing Team - Local Housing Authority (Mark Bristow) [7764]

**Summary:**

The Housing Authority support the policy to retain accommodation for rural workers.

**Full text:**

Chichester Local Plan – Proposed Submission

Duty to Co-operate

The Statutory Housing Authority welcomes the opportunity to comment on the Chichester Local Plan 2021 – 2039 and strongly commends the Local Planning Authority on progressing with its plan-making activities at a time when a number of Local Planning Authorities across the country have stalled owing to a state of flux in the national policy picture.

Chichester District Council Housing Authority considers that the Chichester Planning Policy Team have engaged in a pro-active manner in an ongoing basis to meet the needs of our communities. Furthermore, the authority has been consulted throughout in the crafting of the proposed housing policies H1 – H10 and confirm that the Duty to Co-operate has been met in this regard.

Is it legally compliant?

The Housing Authority consider the plan as presented, to be legally compliant and have no specific comments in relation to the Sustainability Appraisal, Habitats Regulations Assessment or the Statement of Community Involvement.

Soundness

The Housing Authority is satisfied that the plan is positively prepared and seeks to meet the housing need for both market and affordable housing, so far as is practicable, whilst having consideration for the various constraints of the plan area including AONB designation, heritage matters, flooding matters and infrastructure capacity issues. The Housing Authority believe the plan seeks to balance between these competing demands in a sustainable and realistic manner for the plan period 2021 -2039.

The Housing Authority consider the plan provides for a reasonable evidence based strategy which is consistent with national planning policy and guidance and contributes to the delivery of sustainable development, having regard to the reasonable alternatives available.

Meeting housing need

The Housing Authority considers the plan meets housing need so far as is realistically possible considering the constraints of the plan area.

Policy H1, including the Broad Spatial Distribution - is noted.

Policy H2, the strategic locations are broadly located in areas where the Council held Housing Register indicates the highest level of housing need.

Policy H3 - is noted.

Policy H4 – The Housing Authority fully endorse and support the provisions contained in Policy H4.

Policy H5 - The Housing Authority is supportive of the housing mix outlined in policy H5 and the ability to reflect local need where it is appropriate to do so. Furthermore it is right to provide this level of certainty, whilst allowing for some degree of flexibility.

Policy H6 - The Housing Authority are in full support of this policy and fully endorse the opportunity for Neighbourhood Planning groups to bring forward Self and Custom Build serviced plots. The Housing Authority are encouraged by the potential that may arise with the call for sites for such plots. We look forward to working with our colleagues and communities to bring forward Self and Custom Build opportunities within the plan area.

Policy H7 - The Housing Authority recognise the difficulties in bringing forward exception sites for affordable housing and welcome this policy which seeks to enable the needs of our rural communities to be met.

Policy H8 - The Housing Authority strongly advocate for the inclusion of specialist accommodation for older people, and the intention is to secure affordable housing across all specialist accommodation for older people, including Extra Care to meet the needs of those unable to secure such accommodation in the open market.

H9 – The Housing Authority support the policy to retain accommodation for rural workers.

H10-H14 – The Housing Authority has no observations to make in relation to these policies.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

Support

**Document Element:** Background, 5.58

**Respondent:** John Newman [8169]

**Summary:**

I agree with the sentiment of what is written here, though I do not know enough to know if you have got your numbers right.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy H10 Accessible and Adaptable Homes

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Criterion b is pre-empting the government bringing forward into statute its responses to the consultation document.

If that is not followed through then there is no sound basis to require EVERY new dwelling to met M4(2)

**Full text:**

Criterion b is pre-empting the government bringing forward into statute its responses to the consultation document.

If that is not followed through then there is no sound basis to require EVERY new dwelling to met M4(2)

**Change suggested by respondent:**

Delete b or reword so that it comes into force when it is made statue or change to allow some exceptions

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H10 Accessible and Adaptable Homes

**Respondent:** Home Builders Federation (Mr Mark Behrendt, Local Plans Manager SE and E) [7316]

**Summary:**

Policy should be amended to reflect changes to Building Regulations

19. Last year the Government published its response to the consultation on the building regulations governing accessibility - Part M . This response states that the Government will make part M4(2) the mandatory standard. Whilst this is still to be introduced, given the likelihood that the Government will make M4(2) the mandatory standard we would recommend that the Council amend its policy accordingly to ensure no unnecessary repetition of building regulations within planning policy.

**Full text:**

See attachment.

**Change suggested by respondent:**

Policy should be amended to reflect changes to Building Regulations, ensure no unnecessary repetition of building regulations within planning policy.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** HBF rep Chichester LP march 2023 redacted - <https://chichester.oc2.uk/a/sg6>



**Document Element:** Policy H10 Accessible and Adaptable Homes

**Respondent:** The Planning Bureau on behalf of McCarthy Stone [8093]

**Agent:** Miss Natasha Styles [8040]

**Summary:**

Ensuring that older residents have the ability to stay in their homes for longer through the provision of wheelchair housing, is not, in itself, an appropriate manner of meeting the housing needs of older people.

A supportive local planning policy framework will be crucial in increasing the delivery of specialist older persons' housing. Although adaptable housing can assist it does not remove the need for specific older person's housing.

Housing built to M4(3) standard may serve to institutionalise an older person's scheme reducing independence.

M4 (2) is to be incorporated into the Building Regulations - there is no need for the plan to repeat this element.

M43b relates to wheelchair accessible housing which can only be required on affordable housing where the Council has nomination rights. This should be clarified.

**Full text:**

Policy H10 Accessible and Adaptable Homes

The Council should note that ensuring that older residents have the ability to stay in their homes for longer through the provision of wheelchair housing, is not, in itself, an appropriate manner of meeting the housing needs of older people. Adaptable houses do not provide the on-site support, care and companionship of specialist older persons' housing developments nor do they provide the wider community benefits such as releasing under occupied family housing as well as savings to the public purse by reducing the stress of health and social care budgets. The recently published Healthier and Happier Report by WPI Strategy (September 2019) calculated that the average person living in specialist housing for older people saves the NHS and social services £3,490 per year. A supportive local planning policy framework will be crucial in increasing the delivery of specialist older persons' housing and it should be acknowledged that although adaptable housing can assist it does not remove the need for specific older person's housing. Housing particularly built to M4(3) standard may serve to institutionalise an older person's scheme reducing independence contrary to the ethos of older persons and particularly extra care housing.

The Council should note that M4 (2) is to be incorporated into the Building Regulations and therefore there is no need for the plan to repeat this element and this element should be removed from the plan so as not to repeat other government requirements. The Council should also note that M43b relates to wheelchair accessible housing which can only be required on affordable housing where the Council has nomination rights and this should be clarified so that this is clear to the reader.

**Change suggested by respondent:**

Recommendation:

The policy should be amended to reflect the building regulations so it reads as follows:

Policy H10 Accessible and Adaptable Homes

On all residential development sites:

a. 5% of affordable housing must meet wheelchair accessibility standards M4(3)((2)(b)) where there is an identified need on the Housing Register and the Council will have nomination rights.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object****Document Element:** Policy H10 Accessible and Adaptable Homes**Respondent:** Miller Homes and Vistry Group [8065]**Agent:** Mr Nick Billington [8061]**Summary:**

Whilst supportive in principle of providing accessible and adaptive housing, Miller and Vistry have concerns about the implications and soundness of the policy requirement for all dwellings to meet the M4(2) accessibility and adaptability standards. The supporting text to the policy 5.53 highlights current national consideration of changes to Building Regulations in relation to M4(2) standards. It is through the national building regulations that such standards should be implemented, particularly where they are proposed to be mandatory for all dwellings. Such an approach also does not take account of the technical and financial implications of a blanket approach or potential implications on the land take required having regard to the need to make the most efficient use of land. It is also not clear how payment of a commuted sum (the calculation for which should form part of the plan) would meet the tests.

**Full text:**

Whilst supportive in principle of providing accessible and adaptive housing, Miller and Vistry have concerns about the implications and soundness of the policy requirement for all dwellings to meet the M4(2) accessibility and adaptability standards. The supporting text to the policy 5.53 highlights current national consideration of changes to Building Regulations in relation to M4(2) standards. It is through the national building regulations that such standards should be implemented, particularly where they are proposed to be mandatory for all dwellings. Such an approach also does not take account of the technical and financial implications of a blanket approach or potential implications on the land take required having regard to the need to make the most efficient use of land. It is also not clear how payment of a commuted sum (the calculation for which should form part of the plan) would meet the tests.

**Change suggested by respondent:**

If CDC do consider it necessary and justified to require a proportion of M4(2) housing to be delivered ahead of any Building Regulations changes, the policy should be made more flexible to make it clear that such provision is subject to technical feasibility and ideally a more realistic proportion.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** 784-A112469\_Redacted - <https://chichester.oc2.uk/a/shx>**Support****Document Element:** Policy H10 Accessible and Adaptable Homes**Respondent:** Miller Homes and Vistry Group [8065]**Agent:** Mr Nick Billington [8061]**Summary:**

Support in principle

**Full text:**

Whilst supportive in principle of providing accessible and adaptive housing, Miller and Vistry have concerns about the implications and soundness of the policy requirement for all dwellings to meet the M4(2) accessibility and adaptability standards. The supporting text to the policy 5.53 highlights current national consideration of changes to Building Regulations in relation to M4(2) standards. It is through the national building regulations that such standards should be implemented, particularly where they are proposed to be mandatory for all dwellings. Such an approach also does not take account of the technical and financial implications of a blanket approach or potential implications on the land take required having regard to the need to make the most efficient use of land. It is also not clear how payment of a commuted sum (the calculation for which should form part of the plan) would meet the tests.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** 784-A112469\_Redacted - <https://chichester.oc2.uk/a/shx>**Object****Document Element:** Policy H10 Accessible and Adaptable Homes**Respondent:** Metis Homes [1602]**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]**Summary:**

The Government has published its response to the consultation on Building Regulations - Part M. This response states that the Government intends to make part M4(2) the mandatory standard.

**Full text:**

See attachments.

**Change suggested by respondent:**

Would recommend that the Council amend its policy to ensure no unnecessary repetition of Building Regulations within planning policy.

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>  
Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

## Object

**Document Element:** Policy H10 Accessible and Adaptable Homes

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Have significant reservations in terms of policy's practicality - compliance with M4(2) typically results in a 10% increase in floorspace over and above standard market house types, with a commensurate increase in build costs - seldom reciprocated in an increase in GDV. Will be important to test implications of requirement on whole plan viability, isn't clear whether this has been modelled. Consider would be more appropriate for only a proportion of dwellings to be M4(2) see draft Gosport Local Plan and Havant Housing Delivery Position Statement. Should M4(2) compliance be enforced through Part M of building regulations, would be inappropriate to duplicate matters covered (paragraph 16f of the NPPF) in National Policy.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy H10 Accessible and Adaptable Homes

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Part b is too onerous for developers. Majority of other Local Planning Authorities in the South only require a percentage of the development to be to M4(2) standards and this is commonly over a threshold for development size for example on developments larger than 20 or 50 dwellings. Requiring dwellings to be constructed to M4(2) standards requires plots to have a larger footprint and therefore impacts the number of houses and the viability of developments.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Part b of the policy should be re-worded to allow for 10% percent of dwellings on developments over 20 dwellings to accord to M4(2) standards.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

**Document Element:** Policy H10 Accessible and Adaptable Homes

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

We note the Government has published its response to the consultation on the building regulations governing accessibility - Part M . This response states that the Government will make part M4(2) the mandatory standard. Whilst this is still to be introduced, given the likelihood that the Government will make M4(2) the mandatory standard we would recommend that the Council amend its policy accordingly to ensure no unnecessary repetition of building regulations within planning policy.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/smp>

**Object****Document Element:** Background, 5.60**Respondent:** Mr Allen McDonald [7965]**Summary:**

Government policy is clear that pitches only need to be provided for Gypsies and Travellers that meet the PPTS 2015 definition. CDC appear to have gone beyond the PPTRS requirements in seeking to provide accommodation for full cultural need (Sustainability Assessment appendix 3) a term that through its ambiguity will result in excess provision and in inappropriate locations.. The plan therefore provides provision in excess of actual defined need.

**Full text:**

Government policy is clear that pitches only need to be provided for Gypsies and Travellers that meet the PPTS 2015 definition. CDC appear to have gone beyond the PPTRS requirements in seeking to provide accommodation for full cultural need (Sustainability Assessment appendix 3) a term that through its ambiguity will result in excess provision and in inappropriate locations.. The plan therefore provides provision in excess of actual defined need.

**Change suggested by respondent:**

Provision should be made on the basis of PPTS 2015 and not the wider cultural need.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs**Respondent:** Crownhall Estates Limited & Martin Grant Homes [8115]**Agent:** Henry Adams LLP (Mrs Rebecca Tier, Senior Planner) [8116]**Summary:**

Object to policy requirement for 124 pitches across the Plan period, which is to be provided for by allocation of pitches on strategic allocation sites proposing 200+ homes. Proposed allocations would not accommodate the overall need and there is no clear quantifiable policy requirement to deliver this need. Approach is not considered to be robust. Clear absence of information regarding the requirements for pitch provision in localities and the site specific needs that are required to be met.

**Full text:**

## 1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation in relation to the land at Headfoldswood Farm, Loxwood, RH14 0SX, as shown on the attached Masterplan Promotional Document, and hereon referred to as the site.

1.2 This representation will provide a written responses in relation the questions in the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

## 2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District to be delivered through an appropriate strategic allocation policy within the Council's Local Plan or through an Supplementary Planning Document (SPD).

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that we do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given the scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the Plan relies on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst the strategy in the comments above could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent. However, due to the lack of evidence to demonstrate this, the 535 dpa figure should be capped. Given the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Development in Loxwood

3.1 Our client's land is located to the west of the village of Loxwood, which is situated to the northeast of the District. The High Street (B2133) runs through the village, connecting the A281 and A272. For a detailed context appraisal of the site and masterplan vision, please see attached the Masterplan Promotional Document. The site was submitted for the Council's call for sites in February 2019 and is included in Council's latest HELAA.

3.2 The Draft Local Plan defines Loxwood as a service village with local facilities and services, these include an infant and junior school, as well as a medical practice, a local shop and community facilities, including a village hall. The village has been identified in the Local Plan as a suitable location for a higher level of growth as it has suitable HELAA sites which could come forward through the Neighbourhood Plan process.

3.3 It is agreed that a strategic expansion to the west of Loxwood is the best option for growth in the north-eastern area of the District as there are fewer constraints within Loxwood in comparison to other villages within the north-eastern area of the District.

3.4 Policy A15 of the Draft Local Plan states that land will be allocated within the revised Loxwood Plan for a minimum of 220 dwellings and supporting facilities and infrastructure. This is based on a downwards adjustment scenario for Loxwood, but it should be noted this figure is closer to the lower growth scenario of 200 dwellings.

3.5 The Council acknowledges in the SA that the highest growth scenario of 1.650 homes could be justified but there are concerns regarding the deliverability of homes due to the potential scale of allocations to meet the higher growth figure which in turn could affect the Council's ability to deliver the housing within the five year period. However, the Plan currently seeks to allocate reasonably sized housing allocations on a number of small-scale housing sites which by this logic could equally affect the Council's ability to meet the Council's five year housing supply. It is recommended that the middle, higher growth scenario of at least 825 homes is sought, which would allow for meaningful growth in order to meet the needs generated by the new community, such as the identified primary school. The higher housing figure would also provide the benefit of more affordable housing provision for the north-eastern area of the District.

3.6 Loxwood Parish Council have produced a revised Draft Neighbourhood Plan which seeks to allocate 126 dwellings plus 17 carried forward from the Made Loxwood Neighbourhood Plan, providing a total of 143 dwellings. The Draft Neighbourhood Plan was submitted to the Council under Regulation 14 in December 2020. It is noted in response to the Reg 19 Local Plan consultation, that Loxwood Parish Council will be objecting to policy A15 and the increased housing numbers of 220 dwellings on sustainability grounds, with specific reference to water neutrality. The recent Parish Council meeting notes also indicate that there is currently little appetite to undergo another Neighbourhood Plan review, which will likely require additional resource and cost.

3.7 There is concern that relying on the Neighbourhood Plan to allocate specific sites in Loxwood, will result in unnecessary delay to delivery of housing in this area given the points raised above. Policy A15 is not therefore considered precise and does not provide any clear timetable for delivery in housing within Loxwood within the Plan period. It is therefore recommended that the allocation of housing sites in Loxwood should be based on a higher growth scenario of at least 825 homes which should be delivered either through a Local Plan policy allocation or within an SPD, with a clear timetable of when the SPD will be produced by the Council.

### Water Neutrality

3.8 One of the constraints of the north-east of the District is the requirement is for all new development to meet water neutrality, to ensure that any new it does not impact further on the habitat site comprising the Arun Valley Special Area of Conservation (SAC) or the Arun Valley Special Protection Area (SPA) & Ramsar site, in terms of groundwater abstraction within the Sussex North Water Supply Zone. It is anticipated that further advice and a mitigation strategy will be created by the Council and its partners to demonstrate how developments can achieve water neutrality. However, at present applicants are required to provide a water neutrality strategy to demonstrate how the development can achieve water neutrality.

3.9 To provide the Council with reassurance that the site is deliverable despite this constraint, our client has commissioned an initial water strategy based on a development of approximately 250 dwellings which includes provision for offsetting. The initial strategy indicates that water neutrality could be achieved for development on the site through water efficient fixtures and fittings, reuse of harvested water through greywater recycling for flushing toilets and offsetting through water efficiency upgrades on an educational facility located within the Sussex North Water Supply Zone. It would therefore appear on the basis of the work undertaken to date, that it would be possible for future development on this site to achieve water neutrality.

### 4. General Policy requirements

Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs - object

4.1 The above policy sets out a requirement for 124 pitches across the Plan period, which is to be provided for by allocation of pitches on strategic allocation sites proposing 200+ homes.

4.2 Whilst we understand that there may be a district wide need, we understand that the underlying rationale underpinning this strategic approach is that insufficient sites came forward as part of the Council's Call for Sites process. However, whilst this tells us about availability of sites, it doesn't dictate the appropriateness of locations for gypsy traveller provision. It should also be noted that the proposed allocations would not accommodate the overall need and there is no clear quantifiable policy requirement to deliver this need. Accordingly, the approach is not considered to be robust.

4.3 What is clear is that plots are currently available in other areas of the district that have not been taken up by the Council for allocation (namely HELAA ref. HB10028).

4.4 From our understanding there appears to be a clear absence of information regarding the requirements for pitch provision in localities and the site specific needs that are required to be met. We have not yet seen any evidence from the Council in respect of engagement with the gypsy traveller community in respect of a desire to be located on suburban residential sites – which we consider would contradict with the typical locations of gypsy traveller pitches which are located on rural sites on the periphery of rural settlements.

4.5 Due to the scale and form of the site and specific access names (larger HGVs for static homes and touring caravans) it makes it very difficult to design and suitable means of access that does not appear overly engineered, within a residential housing estate. No consideration appears to have been given to how this can be accommodated within such a site.

4.6 At this time, we consider it would not be appropriate to include such provision until further evidence has been provided on suitability of the approach, need in this specific location and suitability as part of housing allocation of this scale, with a single point of access.

4.7 On the basis of the above, we object to the proposed policy requirement.

### 5. Conclusion

5.1 Our client's land is ideally placed to be able to fulfil the sustainable expansion to the west of Loxwood and the much needed, identified housing within the north-eastern plan area. The site measures 57.334 hectares and can be considered as a strategic housing site, west of Loxwood, that would deliver a higher growth of housing within this village and would appear to be able to meet water neutrality requirements. This would also support the viability of the services and facilities in the northern villages. This could include a sustainable addition to the existing village of Loxwood, result in significant enhancements to its existing services and facilities, improved links along, and connectivity to the Wey & Arun Canal and provision of at least

825 homes.

Change suggested by respondent:

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Legally compliant: No

Sound: No

Comply with duty: No

Attachments: Written Representation - <https://chichester.oc2.uk/a/sfb>

Masterplan promotion document - <https://chichester.oc2.uk/a/sfc>

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## Object

**Document Element:** Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

Object to provision of 12 gypsy and traveller pitches and provision of travelling showpeople site in relation to Policy A13 site allocation.

**Full text:**

We broadly support the sixteen development requirements included within the allocation wording of emerging policy A13; these are briefly addressed in turn below;

Provide an appropriate mix of housing types, sizes and tenures to meet evidenced local need including affordable housing and specific provision to meet specialised housing needs including 16 serviced self/custom build plots, accommodation for older people and accessible and adaptable homes in accordance with relevant Plan policies; The scheme would present an emerging policy compliant mix of housing types and tenures. We would look to work closely with the local community to identify the appropriate location and phasing for self and/or custom build plots within the Masterplan to ensure the plots come forward in a suitable location that has been considered alongside the wider masterplanning exercise.

Provide 12 gypsy and traveller pitches in accordance with Policy H11; Whilst we recognise the need for the provision of G&T pitches within the District; based on the previous discussions with the Neighbourhood Planning group and local community we feel that the Council would benefit from exploring more appropriate areas for new sites and/or the intensification of nearby sites.

Provide a serviced site(s) for travelling showpeople which should deliver 12 plots, each of sufficient size to allow for the provision of accommodation and equipment plus storage/maintenance, in accordance with Policy H11; As above.

Provide a suitable means of access to the site(s), securing necessary off-site improvements (including highways) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options; The comprehensive masterplanning approach that has been and will continue to be taken with the scheme will ensure a cohesive layout and access arrangement to best integrate with the existing community. Paragraphs 2.20-4 above outline our recommendation to the Council with regards to infrastructure improvements and we maintain that the most effective way of securing on- and off-site improvements is to place the onus on the developer to ensure their delivery and integration with the local community.

Provide any required mitigation to ensure there is no adverse impact on the safety of existing or planned railway crossings; Any submission will be supported by a robust transport assessment and mitigation strategy.

Ensure adequate provision of supporting infrastructure including education provision, community facilities and transport in accordance with the most up to date Infrastructure Delivery Plan; We support the need for supporting infrastructure, which forms a primary objective of the proposals on last east of Southbourne. We feel that their delivery will be most appropriately secured outside of the limitations of CIL.

Give detailed consideration of the impact of development on the surrounding landscape, including the South Downs National Park and Chichester Harbour AONB and their settings. Development should be designed to protect long-distance views to the South Downs National Park; We support the desire to protect these areas and their settings. Any submission will be supported by a full landscape and visual impact assessment to demonstrate that the scheme east of Southbourne can be a cohesive visual element into the existing built form of the village and avoid any element of incongruousness or harmful impact on the surrounding protected areas.

Ensure that multifunctional green infrastructure provision is well related to the overall layout and character of the development as well as providing opportunities to extend into the wider countryside and surroundings; The proposed scheme to the east of Southbourne would be capable of delivering a significant portion of the Green Ring, originally allocated in the Southbourne Neighbourhood Plan 2015. The Consortium is also supportive of a central feature through the site and the approach to align the Green Ring with the north-south public right of way which connects with the green infrastructure on the eastern edge of the neighbouring Cooks Lane development. This approach would allow the green ring to be cohesive with the neighbouring green infrastructure, whilst also maintaining the public rights of way, in conformity with paragraph 98 of the NPPF. Whilst this central 'Inner' Green Ring could include play, gym trail, walking and cycling, benches and a variety of greenspace (amenity and natural), which would create a varied and engaging corridor, we would work with the Neighbourhood Plan Group to identify the best mechanism to position sports and allotments through a masterplanned approach.

Demonstrate that development would not have an adverse impact on the nature conservation interest of identified sites and habitats including the strategic wildlife corridors; We support the desire to protect key habitats and the scheme will be informed by extensive habitat surveys and mitigation strategies.

Provide mitigation to ensure the avoidance of adverse effects on the SPA, SAC and Ramsar site at Chichester Harbour including contributing to any strategic access management issues, loss of functionally linked supporting habitat and water quality issues relating to runoff into a European designated site; We echo the need to avoid adverse effects on the SPA, SAC and Ramsar site at Chichester Harbour and all necessary mitigation will be provided on- and off-site where required.

Protect any other key views; We support the desire to protect the key views of the wider area. Any submission will be supported by a full landscape and visual impact assessment.

Ensure that allocations and policies accord with the sequential approach to flood risk, and that development will be safe for its lifetime, taking account of climate change impacts, as per the requirements set out in national policy and having due regard to the council's latest Strategic Flood Risk Assessment; We support this requirement and discussions with the Environment Agency and the LLFA will inform the most effective flood mitigation and drainage strategy for the site.

Ensure sufficient capacity within the relevant wastewater infrastructure before the delivery of development as required; Addressed in Paragraphs 2.5-10 above, we have concerns regarding the emerging plan's wording around the future capacity improvements of WwTW in the Apuldrum catchment.

Demonstrate that development would not have an adverse impact on the significance of heritage assets or their settings; Any submission will be supported by a full heritage assessment and the layout and scale will be adjusted accordingly to best protect any nearby heritage assets.

Maintain the character and integrity of existing settlements and provide clear separation between new development and neighbouring settlements including through the definition and protection of landscape gaps. The consortiums approach allows for the masterplan to be designed to best protect the existing settlement of Southbourne from any coalescence with surrounding hamlets. The location of development to the east of the village and the inclusion of the Green Ring is the most appropriate and effective way to protect the village's visual separation and identity.

Consider the Minerals Safeguarding Area and in line with the West Sussex Joint Minerals Local Plan, a minerals resource assessment may be required to assess if the land contained a mineral resource that would require extraction prior to development. Account should also be taken of the West Sussex Waste Local Plan and associated guidance in relation to safeguarding policy W2. We support this inclusion, and any proposal will be accompanied by a minerals resource assessment if needed.

In general, we support the comprehensive masterplanning approach for development in Southbourne. Our proposals are the result of a complete collaboration between landowners and reiterate that the Consortium has always maintained a desire to deliver a comprehensive development that secures substantial benefits to the existing community. It is obviously important that any landowners included within the proposed allocation are required to work collaboratively with others and the local community, sharing the overall infrastructure and policy requirements fairly and proportionately.

We strongly support an amendment to be made to Policy H2 to allow for the provision of circa (or a minimum of) 1,250 dwellings at Southbourne. The accompanying sustainability appraisal, discussed later, supports a larger quantum of development on this site, with benefits realised of accessibility, environmental quality, climate change mitigation, community enhancement, health, historic environment and landscape. A major element of our proposals at Southbourne are in the infrastructure and community improvements to the local residents and increasing the overall housing numbers by less than 20% on this site is key in the wider delivery of package of the infrastructure improvements associated with the scheme.

There is no intention to deliver piecemeal development proposals within the area, which would likely prejudice the delivery including infrastructure delivery. We maintain the most effective way to ensure the infrastructure improvements associated with the scheme would come forward at an effective and appropriate time would be to remove the need for the proposals to contribute to CIL and instead have a direct commitment between the scheme and the improvements to Southbourne.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

Sound: No

Comply with duty: No

Attachments: 27783 A5 OH RS Regulation 19 Reqs FINAL.pdf - <https://chichester.oc2.uk/a/s9r>  
27783 A5 Regulation 19 Reqs Final w Appendices - <https://chichester.oc2.uk/a/t8w>

## Support

**Document Element:** Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs

**Respondent:** Horsham District Council (Norman Kwan, Senior Neighbourhood Planning Officer) [8126]

### Summary:

We note your position and your requirement to provide a number of pitches and plots for the travelling community during plan period. We support your policy position for intensification of existing pitches. Horsham District can't at this point in time accommodate any of CDC's unmet Gypsy, Traveller and Travelling Show people requirement as we are required to first address our own shortfall, and our evidence demonstrates that this alone will be challenging.

We have a body of evidence to support our position and we will continue to share our evidence with you as our Duty to Cooperate dialogue continues over the coming months. As ever, the latest position regarding Gypsy, Traveller and Travelling Showpeople will be set out in the Duty to Cooperate Statement of Common Ground between our two Councils.

### Full text:

Thank you for consulting Horsham District Council on the Chichester Proposed Submission Local Plan 2021-2039. We are grateful for the opportunity to be able to comment on your emerging plan. Overall, we consider that the plan has positively sought to balance the provision of future needs with other wider objectives in a manner that contributes to achieving sustainable development. I would also take the opportunity to reaffirm Horsham District Council's (HDC's) commitment to continued dialogue under the Duty to Cooperate and joint working between our two councils. We have a number of comments on the Proposed Submission Chichester Local Plan 2021 to 2039 to make on individual policies which we have set out below:

#### Policy S1 Spatial Development Strategy

We support this policy in principle, but consider it is not justified as stands. We note the spatial distribution in the plan period is split into three areas: East – West Corridor, the Manhood Peninsula, and North Plan area (which is the only part of Chichester district which directly adjoins Horsham district). HDC acknowledges Chichester District Council's position that it is not able to meet its entire identified local housing need of 638 dwellings per annum, given the constraints associated with the required upgrades to the strategic road network in order to facilitate growth, potential environmental constraints and wider infrastructure restrictions. It is understood that National Highways requires a cap on growth due to the limited capacity of the A27. The proposed housing supply target is therefore 575 dwellings per annum.

HDC acknowledges and welcomes that significant effort has been put into identifying development capacity in a way that reflects the principle of positive planning. Nevertheless, the NPPF and PPG set a high bar for 'leaving no stone unturned' in respect of meeting development needs. We support that planned growth is directed to sustainable locations where access to local services and access to transport links are easier to access than remote rural areas. It is acknowledged Chichester City is the most populous settlement in the district as well as being most sustainable. We support that growth and future development should be focussed in the East-West Corridor, and in particular in or close to the City, first and foremost. We also acknowledge wider infrastructure deficiencies will need to be addressed in strategic locations before they can accommodate more growth.

We support your continued dialogue with National Highways to support improvements to the strategic road network and note a Statement of Common Ground (SoCG) will be published and updated as part of a continuous dialogue with National Highways. The SoCG is important as part of the justification for a lower housing supply figure and should transparently demonstrate why the constraints on the A27 will not allow higher growth in the East West corridor, in order to evidence that maximum housing needs have been achieved in the City and East West Corridor. This evidence is needed for HDC to inform its own DtC position with Chichester District Council (CDC).

Chichester District is planning below the standard methodology housing target and has therefore asked HDC if it can accommodate some of Chichester's unmet housing need. HDC has confirmed that we are not in a position to accommodate Chichester's unmet development needs because of our own water neutrality constraint. Furthermore, the primary housing market for Horsham District is the Northern West Sussex HMA, whose development needs are substantially driven by the Gatwick sub-region, and it is this HMA that would be prioritised with respect to meeting unmet development needs.

As a partner in the Sussex North Water Neutrality grouping also impacted by this constraint, CDC jointly owns the relevant evidence, and our two authorities share an ongoing commitment to work on this as our Duty to Cooperate dialogue continues. As ever, the latest position with regards to Water Neutrality and the impact on the delivery of housing and other development needs can be set out in a Statement of Common Ground (SoCG) between our two Councils.

#### Policy NE16 Water Management and Water Quality

We support this policy which is clear in its encouragement of efficient use of water as part of good management framework.

#### Policy NE17 Water Neutrality

Water neutrality is a significant issue affecting both our districts. Horsham District Council supports this policy which is derived from the joint work undertaken by Chichester District Council, Horsham District Council and Crawley Borough Council. We look forward to continued working with CDC on the development of the implementation scheme, in order to deliver the JBA Water Neutrality Assessment study. This will ensure all new development is in conformity with the Habitat Regulations and can demonstrate water neutrality.

#### Policy H1 Meeting Housing Needs

As outlined earlier in this response, we acknowledge that land supply in Chichester is constrained, and that CDC meeting the full housing requirement within its administrative boundary during the plan period up to 2039 would be challenging. Horsham District is not however in a position to accommodate any of Chichester District's unmet housing need because of water neutrality and, looking forward, the need to prioritise meeting unmet needs within our primary housing market: the Northern West Sussex HMA.

#### Policy H2 Strategic Locations/Allocations 2021 -2039

A significant proportion of CDC's housing supply will be delivered through strategic allocations. Loxwood (220 dwellings) is identified as a strategic



allocation and will come forward through the local plan process, with some allocations anticipated to be delivered through local neighbourhood plans. Given the challenges that face Neighbourhood Planning groups in the preparation and delivery of Neighbourhood Plans, (which can potentially delay the delivery of these allocations), we support the identification of strategic sites in the Local Plan, programmed for delivery earlier in the plan period.

As the delivery of strategic allocations requires significant infrastructure planning, including cross-boundary issues relating to the road network, education, healthcare and community facilities, Horsham District Council welcomes continued dialogue with the relevant stakeholders, to ensure development at strategic locations such as Loxwood are delivered in a timely manner and adhere to sustainable development principles. We have some specific concerns relating to strategic allocation policy A15: Loxwood which we have set out under that policy.

Policy H11 Meeting Gypsies, Travellers and Travelling Showpeople's Need.

We note your position and your requirement to provide a number of pitches and plots for the travelling community during plan period. We support your policy position for intensification of existing pitches. Horsham District can't at this point in time accommodate any of CDC's unmet Gypsy, Traveller and Travelling Show people requirement as we are required to first address our own shortfall, and our evidence demonstrates that this alone will be challenging.

We have a body of evidence to support our position and we will continue to share our evidence with you as our Duty to Cooperate dialogue continues over the coming months. As ever, the latest position regarding Gypsy, Traveller and Travelling Showpeople will be set out in the Duty to Cooperate Statement of Common Ground between our two Councils.

Policy A15 Loxwood

We support this policy as it will contribute to meeting Chichester District's unmet housing need, but consider it is not justified as stands and that its effectiveness could be improved. The five villages in the north of the Plan area (Kirdford, Wisborough Green, Loxwood, Ifold and Plaistow) are classified as Service Villages in the emerging Chichester Local Plan. They provide a reasonable range of basic facilities (e.g. primary school, convenience store and post office) to meet the everyday needs of local residents, or are villages that provide fewer of these facilities but that have reasonable access to them in nearby settlements. Loxwood is the strategic site identified to accommodate 220 dwellings over the plan period.

The nearby settlement of Billingshurst, in Horsham District, is considered to be the nearest main settlement to the villages identified above. Given the limited facilities available / or to be provided as part of the Loxwood allocation, it is considered that new residents are likely to be reliant at least some key facilities in Billingshurst, potentially including the GP surgery, the railway station (and rail user car park), The Weald secondary school and sixth form, the library and the retail and community facilities, including the leisure centre. Within Horsham District, there are potential proposals for strategic scale extensions to Billingshurst / new settlements relatively close to Billingshurst. Whilst no decisions have been made with respect to our local plan, housing growth delivered through our own local plan will create potential impacts on existing infrastructure which is already under significant pressure. We therefore require clear evidence that potential cumulative impacts on settlements in HDC have been considered as part of the proposed allocations. We would ask that CDC works collaboratively with HDC and other stakeholders to ensure future pressures on infrastructure in Horsham District is appropriately addressed. Consequently, we seek further clarification in Policy A15: Loxwood to emphasise the importance of collaborative working between stakeholders to mitigate against the potential cumulative impact of development.

I do hope these comments are helpful. I would like to emphasise that they are made in anticipation of further constructive dialogue between our authorities, and with an expectation that matters on which we have flagged concern can be readily addressed, and quite possibly eliminated through our Duty to Cooperate discussions. Should you require any further detail or information in regard to this response please don't hesitate to contact a member of my Strategic Planning team.

#### Change suggested by respondent:

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC Reg 19 Written Representation (16 March 2023) Redacted - <https://chichester.oc2.uk/a/shc>

## Object

**Document Element:** Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

#### Summary:

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking to understand further e.g., digital nomads.] This policy does not acknowledge or address Motor Homes, Caravans, Vans, converted Buses, Tiny Homes, or other forms of mobile housing in response to the housing crisis and low rental vacancy rates. Nor does this policy address the rise in nomadic and digital-nomad lifestyles. Both have the potential to generated large numbers of additional vehicle movements on the SRN and to create new impacts, for example van dwellers sleeping in road lay-bys.

#### Full text:

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway

Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style.
  - o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:  
 "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of  
 - 10,359 dwellings  
 - 114,652 net additional sqm new floorspace  
 Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project. We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing

and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Support

**Document Element:** Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

We note the findings of the latest GTAA (2022) which is for the area of Chichester district outside the SDNP. The additional pitch provision needs set out in Table 5.1 and 5.2 are for Chichester outside the SDNP only.

We would highlight that there is limited capacity in the National Park to allocate sites for Gypsies and Travellers through duty to cooperate, given significant landscape constraints. Indeed, the protection afforded to National Parks is such that unmet need in the South Downs National Park may be displaced to other (non-designated) authorities outside the National Park.

Policies H11, H12 and H13 are supported, including the mechanisms for making provision for travellers accommodation, i.e. provision of pitches on new strategic allocations and appropriate intensification of existing authorised sites.

We'd welcome continued joint working between the coastal authorities and the South Downs National Park Authority in regard to addressing the need.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

**Object****Document Element:** Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]**Summary:**

Legal Compliance – The Parish Council was not consulted about Policies H11, H12, H13 or H14 (or Policy A13/2 and A13/3). Parish Councils are listed as one of the bodies the District Council must consult under the Town and Country Planning (Local Planning) (England) Regulations 2012 (see also Para. 3.4 of the Local Plan Statement of Community Involvement). It has not been possible to consult the community in Southbourne to obtain a view on these policies in the time allotted. This places the Parish Council in a difficult position. Twelve new pitches and 12 new plots is a considerable number to accommodate in addition to those already occupied within the parish and therefore an objection is being raised.

**Full text:**

See representations attached.

**Change suggested by respondent:**

-

**Legally compliant:** No**Sound:** Not specified**Comply with duty:** Not specified

**Attachments:** CDC LP Final A13.2 GTTS 10.03.23 - <https://chichester.oc2.uk/a/sgp>  
 CDC LP Policy H11 GTTS 11.03.23 - <https://chichester.oc2.uk/a/sgq>  
 CDC LP H12 Intensification Sites 11.03.23 - <https://chichester.oc2.uk/a/shr>  
 SPC\_detailed\_responses - <https://chichester.oc2.uk/a/shs>  
 Submission Modified Plan 2014-2029 Policy SB13c - <https://chichester.oc2.uk/a/sht>  
 NP3 SB14 EV1 Biodiversity - <https://chichester.oc2.uk/a/sh3>  
 NP3 SB14 Biodiversity Plan 8 - <https://chichester.oc2.uk/a/sh4>  
 NP3 SB14 Biodiversity Plan 10 - <https://chichester.oc2.uk/a/sh5>  
 Sussex Biodiversity Record Centre 2022 - <https://chichester.oc2.uk/a/sh6>

**Support****Document Element:** Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]**Summary:**

Whilst Thakeham does not object to the general direction of the policy, with plots to be included on larger strategic sites, we believe there should be a caveat within the policy to make sure they are carefully designed, for example they have separate entrances.

**Full text:**

See attached representation.

**Change suggested by respondent:**

There should be a caveat within the policy to make sure plots are carefully designed, for example they have separate entrances.

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>**Object****Document Element:** Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs**Respondent:** Barratt David Wilson Homes [7523]**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]**Summary:**

Object to policy requirement for schemes exceeding 200 homes on grounds that proposed allocations would not accommodate overall need; no clear quantifiable policy requirement to deliver need; plots available in other areas that have not been taken up for allocation (HBI0028); absence of information regarding requirements for pitch provision and site specific needs; no evidence on engagement with gypsy traveller community regarding desire to be located on suburban residential sites (contradicts typical locations on rural sites/periphery of rural settlements); specific access for larger HGVs for static homes and touring caravans makes it difficult to design suitable access within residential housing estate - no consideration given to how this can be accommodated.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** No**Attachments:** Written Representation - <https://chichester.oc2.uk/a/syq>

## Object

**Document Element:** Policy H12 Intensification sites

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

For sites on this list why do any additional caravans have to meet an identified need only on that site to be acceptable - that is unreasonable bearing in mind the overwhelming need identified.

Why is the land to the north and south of the proposed allocation at Five Paddocks excluded?

**Full text:**

For sites on this list why do any additional caravans have to meet an identified need only on that site to be acceptable - that is unreasonable bearing in mind the overwhelming need identified.

Why is the land to the north and south of the proposed allocation at Five Paddocks excluded?

**Change suggested by respondent:**

Change wording to allow greater flexibility to allow for more sites to come forward to meet the substantial need identified.

Include land North and South of Five Paddocks.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy H12 Intensification sites

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Inconsistency in approach to the sites.

You say the 2 show person sites would be temporary due to flood risk but at the same time an additional traveller pitch is propped immediately to the south at The Stables and that is not to be temporary

All the recent permissions at Five Paddocks Farm have been permanent and the allocation should also be permanent.

**Full text:**

Inconsistency in approach to the sites.

You say the 2 show person sites would be temporary due to flood risk but at the same time an additional traveller pitch is propped immediately to the south at The Stables and that is not to be temporary

All the recent permissions at Five Paddocks Farm have been permanent and the allocation should also be permanent.

**Change suggested by respondent:**

Delete the text saying that the permissions at Five Paddocks Farm will be temporary.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy H12 Intensification sites

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We note that no sites are within any medium to high risk flood zones, which we are supportive of. Some sites may need to consider wastewater infrastructure availability, bearing in mind the hierarchy set out in paragraph 020 of the Planning Practice Guidance for Water supply, wastewater and water quality (i.e. "the first presumption is to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works").

We note that Policy H14 specifies that suitable services are needed for sites.

**Full text:**

We note that no sites are within any medium to high risk flood zones, which we are supportive of. Some sites may need to consider wastewater infrastructure availability, bearing in mind the hierarchy set out in paragraph 020 of the Planning Practice Guidance for Water supply, wastewater and water quality (i.e. "the first presumption is to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works").

We note that Policy H14 specifies that suitable services are needed for sites.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy H12 Intensification sites

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

We note the findings of the latest GTAA (2022) which is for the area of Chichester district outside the SDNP. The additional pitch provision needs set out in Table 5.1 and 5.2 are for Chichester outside the SDNP only.

We would highlight that there is limited capacity in the National Park to allocate sites for Gypsies and Travellers through duty to cooperate, given significant landscape constraints. Indeed, the protection afforded to National Parks is such that unmet need in the South Downs National Park may be displaced to other (non-designated) authorities outside the National Park.

Policies H11, H12 and H13 are supported, including the mechanisms for making provision for travellers accommodation, i.e. provision of pitches on new strategic allocations and appropriate intensification of existing authorised sites.

We'd welcome continued joint working between the coastal authorities and the South Downs National Park Authority in regard to addressing the need.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Object

**Document Element:** Policy H12 Intensification sites

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Legal Compliance – The Parish Council was not consulted about Policy H12 (or Policy H11 or Policy A13/2) until now. Parish Councils are listed as one of the bodies the District Council must consult under the Town and Country Planning (Local Planning) (England) Regulations 2012. (See also Para. 3.4 of the Local Plan Statement of Community Involvement).

Soundness – Proposed intensification of the site at Sunrise in Southbourne is not deliverable (Policy H12 – Proposed 1 additional pitch at Sunrise as shown in Local Plan Appendix I). The site identified as Sunrise in the Local Plan is already fully occupied and includes the controversial encroachment over a significant length of a Public Right of Way (Footpath 212). An unauthorised park-home dwelling has been recently located over the original route of the PRoW. The site does not have its own access to fresh water or the sewer system and its permission was granted WITHOUT the requirement for this. It would seem that the District Council is attempting to use this proposed intensification to regularise this unauthorised development. This is not acceptable.

**Full text:**

See representations attached.

**Change suggested by respondent:**

It is strongly recommended that the Inspector visits this site and that the proposal at Sunrise is deleted from the Local Plan.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** CDC LP Final A13.2 GTTS 10.03.23 - <https://chichester.oc2.uk/a/sgp>  
 CDC LP Policy H11 GTTS 11.03.23 - <https://chichester.oc2.uk/a/sgq>  
 CDC LP H12 Intensification Sites 11.03.23 - <https://chichester.oc2.uk/a/shr>  
 SPC\_detailed\_responses - <https://chichester.oc2.uk/a/shs>  
 Submission Modified Plan 2014-2029 Policy SB13c - <https://chichester.oc2.uk/a/sht>  
 NP3 SB14 EV1 Biodiversity - <https://chichester.oc2.uk/a/sh3>  
 NP3 SB14 Biodiversity Plan 8 - <https://chichester.oc2.uk/a/sh4>  
 NP3 SB14 Biodiversity Plan 10 - <https://chichester.oc2.uk/a/sh5>  
 Sussex Biodiversity Record Centre 2022 - <https://chichester.oc2.uk/a/sh6>

**Document Element:** Policy H12 Intensification sites

**Respondent:** Westbourne Parish Council (Clare Kennett Parish Clerk) [1051]

**Summary:**

The Plan indicates that there is a high level of unmet need generally for Gypsy's Travellers and Show People. The high levels of existing and unauthorised pitches in Westbourne is also mentioned in the Plan. The neighbouring parish of Southbourne is also mentioned as a location with high levels of pitches and unmet need. The relevant extract on the approach to meeting this need is as follows. "the council has had to utilise a wide range of options for meeting this need. This entails providing pitches on the strategic housing allocation sites, supporting increases in the density of pitches on existing authorised sites which have been assessed as being acceptable in principle for additional pitches, and allowing pitches to come forward on a case-by-case basis. The council will also consider allocating additional pitches via the forthcoming Allocations DPD."

Westbourne Parish Council is concerned to avoid intensification of the authorised and unauthorised Gypsy and Traveller and Showman's Pitches located within the Parish. Westbourne already has one of the highest concentrations of such uses anywhere in the District and further intensification will have an adverse impact on the balanced and cohesive community that we seek to protect. We would argue that other locations with lower intensities of such use should be sought to meet this need.

The site in Cemetery Lane at Greenacre is identified as a location for an additional four pitches. There have been many enforcement issues in this area with unauthorised pitches and unauthorised industrial and commercial development, and further increases in the quantity of pitches will exacerbate the situation to the detriment of the balanced and cohesive community that the Parish Council seeks to protect and enhance.

**Full text:**

The Parish Council supports the vision and overall strategic objectives of the Local Plan 2021-2039.

**Spatial strategy:**

Westbourne is identified as a Service Village and there is a given allocation for new development of 30 dwellings. In general terms this seems like a reasonable level of new growth that can be accommodated. However, the plan recognises that in the general area the scope for new development between the National Park boundary and the A27 is limited outside of Southbourne due to physical and environmental constraints. Given these limited opportunities to find land for new development around the village, which was confirmed in the Neighbourhood Planning process recently completed, the scope for Westbourne to take further development is very limited. The Parish Council would urge the District Council to see this quantity of 30 as a maximum target. We would ask the District Council to confirm that it would not suggest a new strategic development being brought forward in the allocations plan for Westbourne as the constraints of the National Park setting and other countryside policies severely limit the scope for further development.

**Policy H4, affordable housing policy:**

The existing policy only requires on-site provision of affordable housing for 10 or more dwellings. The proposed changes to require commuted sum payments in defined rural areas on sites for between six to nine dwellings is supported. However, this as drafted currently excludes Westbourne. Westbourne Parish Council would urge the District Council to ensure that this policy applies to Westbourne as it has limited opportunity for larger sites which makes it difficult to bring forward affordable housing and there is a clear need for more affordable housing in the Parish.

**Policies H12 and H13:**

The Plan indicates that there is a high level of unmet need generally for Gypsy's Travellers and Show People. The high levels of existing and unauthorised pitches in Westbourne is also mentioned in the Plan. The neighbouring parish of Southbourne is also mentioned as a location with high levels of pitches and unmet need. The relevant extract on the approach to meeting this need is as follows. "the council has had to utilise a wide range of options for meeting this need. This entails providing pitches on the strategic housing allocation sites, supporting increases in the density of pitches on existing authorised sites which have been assessed as being acceptable in principle for additional pitches, and allowing pitches to come forward on a case-by-case basis. The council will also consider allocating additional pitches via the forthcoming Allocations DPD."

Westbourne Parish Council is concerned to avoid intensification of the authorised and unauthorised Gypsy and Traveller and Showman's Pitches located within the Parish. Westbourne already has one of the highest concentrations of such uses anywhere in the District and further intensification will have an adverse impact on the balanced and cohesive community that we seek to protect. We would argue that other locations with lower intensities of such use should be sought to meet this need.

The site in Cemetery Lane at Greenacre is identified as a location for an additional four pitches. There have been many enforcement issues in this area with unauthorised pitches and unauthorised industrial and commercial development, and further increases in the quantity of pitches will exacerbate the situation to the detriment of the balanced and cohesive community that the Parish Council seeks to protect and enhance.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Object

**Document Element:** Policy H13 Accommodation for Gypsies, Travellers and Travelling Showpeople

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Criteria 1 refers to well related but this is not explained in any details.

How des the LPA envisage dominate to be assessed - is it on a Parish basis and if so then at what level is it considered unacceptable.

**Full text:**

Criteria 1 refers to well related but this is not explained in any details

**Change suggested by respondent:**

It needs to be made clear that this is in terms of its scale and not location.

Clarify 'dominance'

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy H13 Accommodation for Gypsies, Travellers and Travelling Showpeople

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We support the specific criteria in this policy to ensure that sites avoid locations where there are significant constraints including flood risk (criteria 2).

**Full text:**

We support the specific criteria in this policy to ensure that sites avoid locations where there are significant constraints including flood risk (criteria 2).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy H13 Accommodation for Gypsies, Travellers and Travelling Showpeople

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

We note the findings of the latest GTAA (2022) which is for the area of Chichester district outside the SDNP. The additional pitch provision needs set out in Table 5.1 and 5.2 are for Chichester outside the SDNP only.

We would highlight that there is limited capacity in the National Park to allocate sites for Gypsies and Travellers through duty to cooperate, given significant landscape constraints. Indeed, the protection afforded to National Parks is such that unmet need in the South Downs National Park may be displaced to other (non-designated) authorities outside the National Park.

Policies H11, H12 and H13 are supported, including the mechanisms for making provision for travellers accommodation, i.e. provision of pitches on new strategic allocations and appropriate intensification of existing authorised sites.

We'd welcome continued joint working between the coastal authorities and the South Downs National Park Authority in regard to addressing the need.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Support

**Document Element:** Policy H13 Accommodation for Gypsies, Travellers and Travelling Showpeople

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

We specifically support the inclusion of criterion 4 in Policy H13 which requires consideration of the potential impact of new pitches on nationally protected landscapes and nature conservation sites.

**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Object**

**Document Element:** Policy H13 Accommodation for Gypsies, Travellers and Travelling Showpeople

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

For the avoidance of doubt we would strongly recommend including additional wording in this policy (as has already been done in E8) to make clear that new pitches will be required to contribute to the relevant access management strategies (see proposed changes).

**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

"In all cases, proposals for gypsy, traveller and travelling showpeople's accommodation are expected to contribute to relevant access management strategies to mitigate recreational disturbance to SPAs in accordance with Policy NE6 (Chichester's Internationally and Nationally Designated Habitats), and Policy NE7 (Development and Disturbance of Birds in Chichester, Langstone and Pagham Harbours and Solent and Dorset Coast SPAs, and Medmerry Compensatory Habitat)"

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Object**

**Document Element:** Policy H13 Accommodation for Gypsies, Travellers and Travelling Showpeople

**Respondent:** Westbourne Parish Council (Clare Kennett Parish Clerk) [1051]

**Summary:**

The Plan indicates that there is a high level of unmet need generally for Gypsy's Travellers and Show People. The high levels of existing and unauthorised pitches in Westbourne is also mentioned in the Plan. The neighbouring parish of Southbourne is also mentioned as a location with high levels of pitches and unmet need. The relevant extract on the approach to meeting this need is as follows. "the council has had to utilise a wide range of options for meeting this need. This entails providing pitches on the strategic housing allocation sites, supporting increases in the density of pitches on existing authorised sites which have been assessed as being acceptable in principle for additional pitches, and allowing pitches to come forward on a case-by-case basis. The council will also consider allocating additional pitches via the forthcoming Allocations DPD."

Westbourne Parish Council is concerned to avoid intensification of the authorised and unauthorised Gypsy and Traveller and Showman's Pitches located within the Parish. Westbourne already has one of the highest concentrations of such uses anywhere in the District and further intensification will have an adverse impact on the balanced and cohesive community that we seek to protect. We would argue that other locations with lower intensities of such use should be sought to meet this need.

The site in Cemetery Lane at Greenacre is identified as a location for an additional four pitches. There have been many enforcement issues in this area with unauthorised pitches and unauthorised industrial and commercial development, and further increases in the quantity of pitches will exacerbate the situation to the detriment of the balanced and cohesive community that the Parish Council seeks to protect and enhance.

**Full text:**

The Parish Council supports the vision and overall strategic objectives of the Local Plan 2021-2039.

**Spatial strategy:**

Westbourne is identified as a Service Village and there is a given allocation for new development of 30 dwellings. In general terms this seems like a reasonable level of new growth that can be accommodated. However, the plan recognises that in the general area the scope for new development between the National Park boundary and the A27 is limited outside of Southbourne due to physical and environmental constraints. Given these limited opportunities to find land for new development around the village, which was confirmed in the Neighbourhood Planning process recently completed, the scope for Westbourne to take further development is very limited. The Parish Council would urge the District Council to see this quantity of 30 as a maximum target. We would ask the District Council to confirm that it would not suggest a new strategic development being brought forward in the allocations plan for Westbourne as the constraints of the National Park setting and other countryside policies severely limit the scope for further development.

**Policy H4, affordable housing policy:**

The existing policy only requires on-site provision of affordable housing for 10 or more dwellings. The proposed changes to require commuted sum payments in defined rural areas on sites for between six to nine dwellings is supported. However, this as drafted currently excludes Westbourne. Westbourne Parish Council would urge the District Council to ensure that this policy applies to Westbourne as it has limited opportunity for larger sites which makes it difficult to bring forward affordable housing and there is a clear need for more affordable housing in the Parish.

**Policies H12 and H13:**

The Plan indicates that there is a high level of unmet need generally for Gypsy's Travellers and Show People. The high levels of existing and unauthorised pitches in Westbourne is also mentioned in the Plan. The neighbouring parish of Southbourne is also mentioned as a location with high levels of pitches and unmet need. The relevant extract on the approach to meeting this need is as follows. "the council has had to utilise a wide range of options for meeting this need. This entails providing pitches on the strategic housing allocation sites, supporting increases in the density of pitches on existing authorised sites which have been assessed as being acceptable in principle for additional pitches, and allowing pitches to come forward on a case-by-case basis. The council will also consider allocating additional pitches via the forthcoming Allocations DPD."

Westbourne Parish Council is concerned to avoid intensification of the authorised and unauthorised Gypsy and Traveller and Showman's Pitches located within the Parish. Westbourne already has one of the highest concentrations of such uses anywhere in the District and further intensification will have an adverse impact on the balanced and cohesive community that we seek to protect. We would argue that other locations with lower intensities of such use should be sought to meet this need.

The site in Cemetery Lane at Greenacre is identified as a location for an additional four pitches. There have been many enforcement issues in this area with unauthorised pitches and unauthorised industrial and commercial development, and further increases in the quantity of pitches will exacerbate the situation to the detriment of the balanced and cohesive community that the Parish Council seeks to protect and enhance.

**Change suggested by respondent:**

We would argue that other locations than Westbourne with lower intensities of such use should be sought to meet this need.

**Legally compliant:** Not specified

**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

**Document Element:** Policy H14 Gypsy and Traveller, and Travelling Showpeople site design policy

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

The policy should require that activities within a site that is to be included within a strategic land allocation (SAL), should align with activities for that strategic land allocation. For example in a residential SAL with no manufacturing, engineering, building, storage, etc activities, the site should be prohibited from operating a similar type of business, and should it not be used for the storage of plant, materials, equipment and waste etc. This would help alignment with items e, f and g of this policy.

**Full text:**

The policy should require that activities within a site that is to be included within a strategic land allocation (SAL), should align with activities for that strategic land allocation. For example in a residential SAL with no manufacturing, engineering, building, storage, etc activities, the site should be prohibited from operating a similar type of business, and should it not be used for the storage of plant, materials, equipment and waste etc. This would help alignment with items e, f and g of this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Support

**Document Element:** Policy H14 Gypsy and Traveller, and Travelling Showpeople site design policy

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

Support in principle

**Full text:**

The policy should require that activities within a site that is to be included within a strategic land allocation (SAL), should align with activities for that strategic land allocation. For example in a residential SAL with no manufacturing, engineering, building, storage, etc activities, the site should be prohibited from operating a similar type of business, and should it not be used for the storage of plant, materials, equipment and waste etc. This would help alignment with items e, f and g of this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

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**Document Element:** Background, 6.1

**Respondent:** Ms Louise Williamson [7836]

**Summary:**

I would question the council be committed to a high quality environment when they are considering adding 220 houses to a small village and reducing the quality of living for existing residents! I consider this to be a contradiction!

**Full text:**

I would question the council be committed to a high quality environment when they are considering adding 220 houses to a small village and reducing the quality of living for existing residents! I consider this to be a contradiction!

**Change suggested by respondent:**

Lessen the amount of houses!

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

---

**Document Element:** Background, 6.1

**Respondent:** John Newman [8169]

**Summary:**

I agree with paras 6.1 to 6.6, and also with Policy P1

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

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**Document Element:** Background, 6.1

**Respondent:** Chichester City Council Neighbourhood Plan Steering Group (Councillor Sarah Quail) [8184]

**Summary:**

This section covers many of the themes we wish the Chichester Neighbourhood Plan to address at a non-strategic level. We therefore request that a variety of references are placed in this section, alerting the reader to the opportunity that Neighbourhood Plans provide in interpreting and applying the place-making, health and well-being topics at site and neighbourhood level.

**Full text:**

See attachment.

**Change suggested by respondent:**

References to Chichester Neighbourhood Plan throughout Chapter.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/syp>

## Support

**Document Element:** Background, 6.2

**Respondent:** John Newman [8169]

**Summary:**

I agree with paras 6.1 to 6.6, and also with Policy PI.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Background, 6.3

**Respondent:** John Newman [8169]

**Summary:**

I agree with paras 6.1 to 6.6, and also with Policy PI.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Background, 6.3

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Supporting collaborative working.] Achieving good design, particularly for larger scale proposals, requires early engagement with relevant statutory bodies (para 6.3).

We welcome the opportunity be invited to be involved in the pre-application scoping stage and to review Sustainability Statements to reduce impacts associated with traffic.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

Background



National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions

- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25),

and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Support

**Document Element:** Background, 6.4

**Respondent:** John Newman [8169]

#### Summary:

I agree with paras 6.1 to 6.6, and also with Policy PI.

#### Full text:

See attachment.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Background, 6.5

**Respondent:** John Newman [8169]

**Summary:**

I agree with paras 6.1 to 6.6, and also with Policy PI.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Background, 6.6

**Respondent:** John Newman [8169]

**Summary:**

I agree with paras 6.1 to 6.6, and also with Policy PI.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy P1 Design Principles

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy P1 Design Principles

**Respondent:** Mr Jan Davis [7907]

**Summary:**

To be sound and legal the development shall satisfy the new Future Homes Standard FHS in the amended and updated building regulations. All homes and businesses will have to meet rigorous new energy efficiency standards to lower energy consumption and bills, helping to protect the environment. To achieve net zero by 2025.

**Full text:**

To be sound and legal the development shall satisfy the new Future Homes Standard FHS in the amended and updated building regulations. All homes and businesses will have to meet rigorous new energy efficiency standards to lower energy consumption and bills, helping to protect the environment. To achieve net zero by 2025.

**Change suggested by respondent:**

To be sound and legal the development shall satisfy the new Future Homes Standard FHS in the amended and updated building regulations. All homes and businesses will have to meet rigorous new energy efficiency standards to lower energy consumption and bills, helping to protect the environment. To achieve net zero by 2025.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** None

## Support

---

**Document Element:** Policy P1 Design Principles

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

We agree with it but it needs to be tightly controlled. Design & access statements need to be fully considered. We have an enormously diverse range of housing types.

This embraces some sound design principles. Our major concern is that the District Council planning team has sufficient resources to be able at the pre-application phase, to really assess the level of compliance with these ambitious design principles. We feel that it is important in rural and semi-rural locations to pay significant attention to the intended design and quality of new homes. Certain recent housing developments around Chichester have fallen way short of these aims.

**Full text:**

We agree with it but it needs to be tightly controlled. Design & access statements need to be fully considered. We have an enormously diverse range of housing types.

This embraces some sound design principles. Our major concern is that the District Council planning team has sufficient resources to be able at the pre-application phase, to really assess the level of compliance with these ambitious design principles. We feel that it is important in rural and semi-rural locations to pay significant attention to the intended design and quality of new homes. Certain recent housing developments around Chichester have fallen way short of these aims.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P1 Design Principles

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Supported – provision of local design codes should be a priority, particularly for sites allocated for development, such that it can be addressed when a site is first promoted or purchased for development.

Heritage and character is vital to the area’s economic base. Policies should be supportive of these assets and their evolution.

**Full text:**

Supported – provision of local design codes should be a priority, particularly for sites allocated for development, such that it can be addressed when a site is first promoted or purchased for development.

The plan should clarify its expectations of design quality and ensure that all development responds positively to the National Design Code as a minimum – this could be written into general development management policies.

Heritage and character is vital to the area’s economic base. Policies should be supportive of these assets and their evolution.

**Change suggested by respondent:**

The plan should clarify its expectations of design quality and ensure that all development responds positively to the National Design Code as a minimum – this could be written into general development management policies.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P1 Design Principles

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Recognition of design principles is supported strongly and the requirements of Policy P1 is welcomed. However, with design and especially good design, be subjective, it is important for the plan to demonstrate how such objectives are to be measured and achieved. The policy references the National Design Guide, but the policy should also reference the role more specific, local design guides can play in delivering high quality local neighbourhoods.

**Full text:**

Recognition of design principles is supported strongly and the requirements of Policy P1 is welcomed. However, with design and especially good design, be subjective, it is important for the plan to demonstrate how such objectives are to be measured and achieved. The policy references the National Design Guide, but the policy should also reference the role more specific, local design guides can play in delivering high quality local neighbourhoods.

**Change suggested by respondent:**

The policy should require the adherence to the National Design Guide as a minimum and to local (including specific site) design guides where they exist. Where no design guidance exists or where developments wish to introduce a differing design approach, they must be required to demonstrate why guidance nationally or locally should be set aside.

Policies should require developments to demonstrate with evidence how compliance with guidance is met - it will not be sufficient to rely on generic wording that a development meets the set criteria

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy P1 Design Principles

**Respondent:** John Newman [8169]

**Summary:**

I agree with paras 6.1 to 6.6, and also with Policy Pl.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy P1 Design Principles

**Respondent:** Mr Cliff Archer [8026]

**Summary:**

Support

**Full text:**

Support

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P1 Design Principles

**Respondent:** Hunston Parish Council (Carol Smith, Parish Clerk) [1096]

**Summary:**

Hunston Parish Council is concerned that the housing standards for any new build do not meet PassivHaus standards or equivalent. There is no mention of solar panels for example.

**Full text:**

Hunston Parish Council is concerned as to whether the traffic management proposals are workable.

Hunston Parish Council notes that the reality of climate change and the impact on the area are not adequately addressed.

Hunston Parish Council is concerned that the housing standards for any new build do not meet PassivHaus standards or equivalent. There is no mention of solar panels for example.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Object

**Document Element:** Policy P1 Design Principles

**Respondent:** National Grid [1544]

**Agent:** National Grid (Mr Matt Verlander, Director) [7517]

**Summary:**

The increasing pressure for development is leading to more development sites being brought forward through the planning process on land that is crossed by NGET.

NGET advocates the high standards of design and sustainable development forms promoted through national planning policy and understands that contemporary planning and urban design agenda require a creative approach to new development around high voltage overhead lines and other NGET assets.

**Full text:**

The increasing pressure for development is leading to more development sites being brought forward through the planning process on land that is crossed by NGET.

NGET advocates the high standards of design and sustainable development forms promoted through national planning policy and understands that contemporary planning and urban design agenda require a creative approach to new development around high voltage overhead lines and other NGET assets.

Therefore, to ensure that Design Policy P1 is consistent with national policy we would request the inclusion of a policy strand such as:

"x. taking a comprehensive and co-ordinated approach to development including respecting existing site constraints including utilities situated within sites."

**Change suggested by respondent:**

Therefore, to ensure that Design Policy P1 is consistent with national policy we would request the inclusion of a policy strand such as:

"x. taking a comprehensive and co-ordinated approach to development including respecting existing site constraints including utilities situated within sites"

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

National Grid Redacted - <https://chichester.oc2.uk/a/swy>

## Object

**Document Element:** Policy P1 Design Principles

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Noting SRN policies and NH processes.] Policy 6 does not cover signage. No reference is currently made to the SRN or National Highways.

It is a requirement of the local planning authority to consult National Highways on the road safety aspects of advertisements proposed alongside the SRN, for example development advertisements.

Advertisements that are likely to distract motorists are unlikely to be approved. Ordinarily we will need to consider location, if visible from the SRN, size, brightness/lighting (if any) and effect on public safety as well as the type of intended advertising.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex

County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

## Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will

simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department

for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy P1 Design Principles

**Respondent:** Home Builders Federation (Mr Mark Behrendt, Local Plans Manager SE and E) [7316]

#### Summary:

Part A requires proposals apply sound suitable design including the use of materials that reduce embodied carbon and make use of re-used or recycled materials. The HBF recognises the importance of reducing the embodied carbon in new homes but the extent to which such materials can be used will vary from development to development. As such we would suggest that the policy is amended to read "... including, where possible, the use of materials ..."

#### Full text:

See attachment.

#### Change suggested by respondent:

Suggest that the policy is amended to read "... including, where possible, the use of materials ..."

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

HBF rep Chichester LP march 2023 redacted - <https://chichester.oc2.uk/a/sg6>

## Support

**Document Element:** Policy P1 Design Principles

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

Admirable content, full of aspiration. Achievable? Demands substantial ongoing monitoring in real time.

#### Full text:

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy P1 Design Principles

**Respondent:** Stagecoach South (Rob Vince) [8141]

#### Summary:

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): “Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

#### Full text:

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

#### 1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it’s rather wider travel-to-work

area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport



Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the

potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress is delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph

4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively

address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the ‘Five Villages’ area in Arun District.” We unequivocally endorse this conclusion. Realising a “game-changing” level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be “enhanced” and “reinforced”.

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks

merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

### 3.1. Policy S1 Spatial Development Strategy

#### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

### 3.2. Policy S2 Settlement Hierarchy

#### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

## 4. Climate Change and the Natural Environment

### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph

4.130:

"4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant."

This is a retroactive approach – it is not "planning", based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic



capacity improvement package would perform little differently. To quote the Study:

“5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa.”

Whether the rest of the local road network is similarly protected is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time the current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first through maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: “New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas.” (our emphasis).

It continues at paragraph 13: “where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people’s mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified.” (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that “includes moving away from transport planning based on predicting future demand to provide capacity (‘predict and provide’) to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including ‘vision and validate,’ ‘decide and provide’ or ‘monitor and manage’). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages.” (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN “Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any

negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference.” (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan’s spatial strategy. It generally avoids a dispersal of development to locations

likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): “Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: “1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

“Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council’s Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;

3. Managing travel demand; and
4. Mitigating the impacts of travel by car.”

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the

evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d'être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous "predict and provide" solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

"Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.



For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable modes including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and

cycle lanes, and..."

At limb v) the Policy expects developers to meet the "in perpetuity costs of operating and maintaining infrastructure". This shackles development management decisions to developers assuming what are infinite costs – given that "in perpetuity", read properly, can only mean "without any limit in time". This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies.

It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, un specific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

- "...
- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.
- ..."

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.  
...(renumber remaining points)

### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...  
10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,  
..."

#### 9.5. Policy A7 Land at Shopwhyke

##### Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lies on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“...

12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;

...”

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

...”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

"...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

"...

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

"...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the

junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.



With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

...”

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

“Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the ‘Five Villages’ area in Arun District; and..”

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus

journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“... ”

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

## 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the

quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

**Change suggested by respondent:**

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Support

**Document Element:** Policy P1 Design Principles

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

We are in general support of this policy and its wording.

**Full text:**

We are in general support of this policy and its wording. However, question the inclusion of points A – C in this policy.

The policy as a whole relates to overarching design principles, which is supported, but A-C are too prescriptive and relate to matters of detail which are not appropriate for inclusion in this policy and are covered elsewhere.

See representation report for full context of comments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/shj>

## Object

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**Document Element:** Policy P1 Design Principles

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

We are in general support of this policy and its wording. However, question the inclusion of points A – C in this policy. The policy as a whole relates to overarching design principles, which is supported, but A-C are too prescriptive and relate to matters of detail which are not appropriate for inclusion in this policy and are covered elsewhere

**Full text:**

We are in general support of this policy and its wording. However, question the inclusion of points A – C in this policy. The policy as a whole relates to overarching design principles, which is supported, but A-C are too prescriptive and relate to matters of detail which are not appropriate for inclusion in this policy and are covered elsewhere.  
See representation report for full context of comments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/shj>

## Object

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**Document Element:** Policy P1 Design Principles

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Policy P1 requires all Design & Access Statements (DAS) to explain how the proposed development delivers all 10 characteristics as set out in the National Design Guide. This is not something Thakeham feel is necessary as it has the potential to over complicate the DAS.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

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**Document Element:** Policy P1 Design Principles

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

[Objective 3: Housing] requires clear requirements to ensure that good design that respects the land and heritage of CDC is understood in the subsequent master-planning and detailed design and build. CDC has declared a Climate Emergency and it should set requirements over those stated in Building Regulations; this lack of ambition is acknowledged in the Sustainability Appraisal section 9.6

**Full text:**

The objective requires clear requirements to ensure that good design that respects the land and heritage of CDC is understood in the subsequent master-planning and detailed design and build. CDC has declared a Climate Emergency and it should set requirements over those stated in Building Regulations; this lack of ambition is acknowledged in the Sustainability Appraisal section 9.6.

**Change suggested by respondent:**

Plan should set requirements over those stated in Building Regulations.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy P1 Design Principles

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We note that green infrastructure provision is mentioned in this policy and within the glossary there is reference to this term including blue infrastructure. However, it would be better to change all references to 'green infrastructure' to say 'green/blue infrastructure' to ensure that opportunities in the water environment alongside the terrestrial environment are not marginalised or ignored.

**Full text:**

We note that green infrastructure provision is mentioned in this policy and within the glossary there is reference to this term including blue infrastructure. However, it would be better to change all references to 'green infrastructure' to say 'green/blue infrastructure' to ensure that opportunities in the water environment alongside the terrestrial environment are not marginalised or ignored.

**Change suggested by respondent:**

Change all references to 'green infrastructure' to say 'green/blue infrastructure' to ensure that opportunities in the water environment alongside the terrestrial environment are not marginalised or ignored.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy P1 Design Principles

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Intent of Policy P1 is supported. Welcome emphasis upon a design led approach to all development and consistency with National Design Guide. Welcome requirement of Sustainability Statement, although question whether this should be required for 'all development proposals' (this is perhaps best elaborated upon in the validation checklist). Point A is welcomed, albeit a proportionate and flexible approach is required, particularly given challenges in sourcing materials. Will be important to allow some freedom and avoid making mechanism for assessment too prescriptive and cumbersome. Considered policy strikes right balance. Contend draft Policy 'P1' has been positively prepared, is fully justified, effective and consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy P1 Design Principles

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

Part A - extent to which such materials can be applied is likely to vary on a site by site basis.  
Part B - inclusion of elements listed are unlikely to be appropriate for all developments and site circumstances, particularly elements such as green and blue roofs and green walls. Policy as worded, unlikely to be effective over plan period.

**Full text:**

See attachment.

**Change suggested by respondent:**

Suggest Part A is amended to read '...including, where possible, the use of materials ...'  
Would suggest the following revision to Part B: 'The proposals include measures to adapt to climate change, such as the provision where possible of green infrastructure, sustainable urban drainage systems (SuDS), suitable shading of pedestrian routes and open spaces, a mixture of drought and rain tolerant native planting and the incorporation of green or blue roofs or green walls;'

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/smp>

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## Support

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**Document Element:** Policy P1 Design Principles

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Support the objectives of the policy in terms of achieving good design. However, criterion 'A' requires proposals to use materials that reduce embodied carbon and make use of re-used or recycled materials. The merits of reducing the embodied carbon in new homes is acknowledged, however the extent to which such materials can be sourced and used will vary from development to development.

**Full text:**

See attachments.

**Change suggested by respondent:**

Recommend criteria A is amended as follows:

A. The proposals apply sound sustainable design, good environmental practices, sustainable building techniques and technology, including where feasible the use of materials that reduce the embodied carbon of construction and make use of re-used or recycled materials;

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/snj>

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

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## Support

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**Document Element:** Policy P1 Design Principles

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England support this policy and welcome the requirement for development proposals to include a sustainability statement.

**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>



## Object

---

**Document Element:** Policy P1 Design Principles

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Considered to be a 'non-event' of a design policy. Does not go beyond what is already provided in national policy and guidance. Together, P1 and P2 should point to the ability for communities to prepare local design codes through neighbourhood plans and which would then represent a more specific version of the design policies. Policy currently unclear about need for 'major development' to provide a detailed masterplan or design codes or development briefs. Policy focusses solely on Design and Access Statement requirements. Policy hooks for specific design tools and documents are important for effectiveness and clarity for communities, developers and decision-takers about design process expected from CDC.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

**Document Element:** Policy P1 Design Principles

**Respondent:** National Gas Transmission [8090]

**Agent:** Avison Young (Mr Matt Verlander, Director) [8092]

**Summary:**

The increasing pressure for development is leading to more development sites being brought forward through the planning process on land that is crossed by National Gas Transmission infrastructure.

National Gas Transmission advocates the high standards of design and sustainable development forms promoted through national planning policy and understands that contemporary planning and urban design agenda require a creative approach to new development around underground gas transmission pipelines and other National Gas Transmission assets.

**Full text:**

National Gas Transmission has appointed Avison Young to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

**About National Gas Transmission**

National Gas Transmission owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

**Utilities Design Guidance**

The increasing pressure for development is leading to more development sites being brought forward through the planning process on land that is crossed by National Gas Transmission infrastructure.

National Gas Transmission advocates the high standards of design and sustainable development forms promoted through national planning policy and understands that contemporary planning and urban design agenda require a creative approach to new development around underground gas transmission pipelines and other National Gas Transmission assets.

Therefore, to ensure that Design Policy P1 is consistent with national policy we would request the inclusion of a policy strand such as:

"x. taking a comprehensive and co-ordinated approach to development including respecting existing site constraints including utilities situated within sites."

**Further Advice**

National Gas Transmission is happy to provide advice and guidance to the Council concerning their networks.

**Change suggested by respondent:**

To ensure that Design Policy P1 is consistent with national policy we would request the inclusion of a policy strand such as:

"x. taking a comprehensive and co-ordinated approach to development including respecting existing site constraints including utilities situated within sites."

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

13-03 Chichester LP Gas - <https://chichester.oc2.uk/a/spq>

## Object

---

**Document Element:** Background, 6.7

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

It is important the Plan makes appropriate provision for the protection of local character and distinctiveness and this applies equally to open areas (countryside and urban fringe) as it does to the built environment. The Goodwood Estate, its conservation and operations provide land between the City edge and National Park to the north with a distinctive character, which is both recognised and should be sustained. Development proposed within the area should assess and demonstrate through evidence, how that character is to be protected and enhanced. Developments which will detract or result in significant change should be resisted.

**Full text:**

It is important the Plan makes appropriate provision for the protection of local character and distinctiveness and this applies equally to open areas (countryside and urban fringe) as it does to the built environment. The Goodwood Estate, its conservation and operations provide land between the City edge and National Park to the north with a distinctive character, which is both recognised and should be sustained. Development proposed within the area should assess and demonstrate through evidence, how that character is to be protected and enhanced. Developments which will detract or result in significant change should be resisted.

**Change suggested by respondent:**

It is important the Plan makes appropriate provision for the protection of local character and distinctiveness and this applies equally to open areas (countryside and urban fringe) as it does to the built environment. This can be achieved through the identification of character areas to which overarching and specific development management policies apply.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

---

**Document Element:** Background, 6.8

**Respondent:** Ms Louise Williamson [7836]

**Summary:**

How can 220 houses protect and enhance local character. The plan will change the village beyond recognition with an influx of people, dwellings and will see the traffic access and egress within the village rise, thus changing the rural feel.

**Full text:**

How can 220 houses protect and enhance local character. The plan will change the village beyond recognition with an influx of people, dwellings and will see the traffic access and egress within the village rise, thus changing the rural feel.

**Change suggested by respondent:**

Reduce the amount of houses assigned to Loxwood.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy P2 Local Character and Distinctiveness

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Point 7 and 8 are critical and we have seen many examples of this being flouted by developers. Much tighter control during the construction phase is essential.

**Full text:**

Point 7 and 8 are critical and we have seen many examples of this being flouted by developers. Much tighter control during the construction phase is essential.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P2 Local Character and Distinctiveness

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P2 Local Character and Distinctiveness

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Criteria listed should go further to reference design guides that indicate the key elements of an area that define its character and which are desirable to maintain and enhance

**Full text:**

Policies supporting local character and distinctiveness is supported but the criteria listed should go further to reference design guides that indicate the key elements of an area that define its character and which are desirable to maintain and enhance

**Change suggested by respondent:**

In addition to the generic requirements set out in criteria 1 – 9, the policy should reference design guides that indicate the key elements of an area that define its character and which are desirable to maintain and enhance.

This policy should correlate with Policies P3 Density, P4 layout and Access, P5 Spaces, P6 Amenity, P7 Extensions, and P8 Materials and detail. All are interconnected and the plan should indicate that a policy cannot be applied in isolation, but as a whole.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy P2 Local Character and Distinctiveness

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

█ Policies supporting local character and distinctiveness supported in principle.

**Full text:**

█ Policies supporting local character and distinctiveness is supported but the criteria listed should go further to reference design guides that indicate the key elements of an area that define its character and which are desirable to maintain and enhance

**Change suggested by respondent:**

█ -

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P2 Local Character and Distinctiveness

**Respondent:** John Newman [8169]

**Summary:**

█ I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), PS, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, P10, P11, P13, P14, P15 (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

█ See attachment.

**Change suggested by respondent:**

█ -

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy P2 Local Character and Distinctiveness

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

█ Support in principle. Wording amendments in additional objection rep - 5417.

**Full text:**

█ See attachment.

**Change suggested by respondent:**

█ -

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Document Element:** Policy P2 Local Character and Distinctiveness

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

Again lots of positive parameters but neither developers nor their contractors are sufficiently policed in respect of their actions at site.

Enforcement should be statutory and not a cost laid at the door of underfunded local councils.

Sites which are cleared of hedgerows and trees BEFORE planning applications are lodged should see the offenders fined when this is discovered.

We have a live example locally of a significant landowner having installed vicious barbed wire fencing and removed many hundreds of metres of mature undergrowth very recently and posted large signage suggesting that the land now fenced off is a nature conservation area.

Points 7. And 8. within Policy P2 will require serious policing if they are ever to be achieved.

**Full text:**

**Executive Summary**

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District

reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### **Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

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**Document Element:** Policy P2 Local Character and Distinctiveness

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Thakeham believes Paragraph 6.9 is ambiguous and clarity should be provided to understand what would be deemed 'too many similar house types', as ultimately all large developments utilise a small range of basic house types.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

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**Document Element:** Policy P2 Local Character and Distinctiveness

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

The housing allocations outlined in A11,A12,A13 seem to go directly against the guidance of policy P2 on local character and distinctiveness. Extensive development in the countryside, "bolted on" to existing settlements of Bosham, Chidham & Hambrook and Southbourne will inevitably fly in the face of the statement in 6.7 that "It is important to maintain the separate distinct identity of different settlements and a clear transition between built up areas and the countryside."

**Full text:**

The housing allocations outlined in A11,A12,A13 seem to go directly against the guidance of policy P2 on local character and distinctiveness. Extensive development in the countryside, "bolted on" to existing settlements of Bosham, Chidham & Hambrook and Southbourne will inevitably fly in the face of the statement in 6.7 that "It is important to maintain the separate distinct identity of different settlements and a clear transition between built up areas and the countryside." Most new developments witnessed in the district in recent years demonstrably do not deliver on these aspirations - they offer buildings of generic design that do not contribute to local settlement character or join with villages in a coherent way. This is all too visible along the A259 between Chichester and Southbourne.

**Change suggested by respondent:**

A significant reduction in the housing allocation along the A259 corridor between Chichester and Southbourne and the removal of A11 Highgrove Farm allocated site in particular.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/tr9>



## Object

---

**Document Element:** Policy P2 Local Character and Distinctiveness

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway supports the draft Policy P2. Bellway welcome the in-built flexibility of the policy which enables justification of non-compliant areas to allow for alternative design styles. Bellway contend that the draft Policy 'P2' as conveyed in the draft Plan has been positively prepared, is fully justified, effective and consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

Bellway have the following recommendations;

Remove reference to 'building typologies and silhouettes'.

Remove bullet point 5 re. heritage assets as this is covered in draft Policy P9.

Bullet point 6 should state 'retains where possible existing boundary treatments...'

Bullet point 8 should state 'respects and where possible retains, enhances or creates vistas, panoramas and views...'

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Support

---

**Document Element:** Policy P2 Local Character and Distinctiveness

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England supports this policy and welcome the requirement for developments to respect existing natural features, to retain and enhance and create views, vistas and panoramas of protected landscapes.

**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and

Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy P2 Local Character and Distinctiveness

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

Addresses character and distinctiveness but is more about general principles rather than policies specific to Chichester District and its individual places. Together, P1 and P2 should point to the ability for communities to prepare local design codes through neighbourhood plans which would represent a more specific version of the design policies. Policies currently unclear about need for 'major development' to provide a detailed masterplan or design codes or development briefs. Policies focus solely on Design and Access Statement requirements. Policy hooks for specific design tools and documents are important for effectiveness and clarity for communities, developers and decision-takers about design process expected from CDC.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Support

**Document Element:** Background, 6.11

**Respondent:** Mr Simon Davenport [7100]

**Summary:**

35 dwellings per Ha should be achievable and is not that high (14/ac) especially when the high % of single/ retired households with less children being born. I believe that well designed small communities that can be self-sufficient and connected by better public transport, could be a solution for the current wasteful use of prime agricultural land.

**Full text:**

35 dwellings per Ha should be achievable and is not that high (14/ac) especially when the high % of single/ retired households with less children being born. I believe that well designed small communities that can be self-sufficient and connected by better public transport, could be a solution for the current wasteful use of prime agricultural land.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Background, 6.11

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

The choice of a minimum housing density of 35 dwelling per hectare is not explained. It is acknowledged that this higher than found in much of the district. Even though there is an exhortation for innovative design approaches, this will conflict with policy P1 and probably P2. Removal of the 35 dwelling expectation will allow a balanced approach to be taken between policies P1, P2 and this policy P3.

**Full text:**

The choice of a minimum housing density of 35 dwelling per hectare is not explained. It is acknowledged that this higher than found in much of the district. Even though there is an exhortation for innovative design approaches, this will conflict with policy P1 and probably P2. Removal of the 35 dwelling expectation will allow a balanced approach to be taken between policies P1, P2 and this policy P3.

**Change suggested by respondent:**

Remove all reference to an expected minimum dwelling density.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

---

**Document Element:** Policy P3 Density

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Support in principle

**Full text:**

It should be specifically stated that wildlife and biodiversity needs to be taken into account. The optimum density of development should take account of areas. For example rural areas should not be suitable for developments with a density of 35 houses per hectare.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

---

**Document Element:** Policy P3 Density

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P3 Density

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

It should be specifically stated that wildlife and biodiversity needs to be taken into account. The optimum density of development should take account of areas. For example rural areas should not be suitable for developments with a density of 35 houses per hectare.

**Full text:**

It should be specifically stated that wildlife and biodiversity needs to be taken into account. The optimum density of development should take account of areas. For example rural areas should not be suitable for developments with a density of 35 houses per hectare.

**Change suggested by respondent:**

It should be specifically stated that wildlife and biodiversity needs to be taken into account. The optimum density of development should take account of areas. For example rural areas should not be suitable for developments with a density of 35 houses per hectare.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P3 Density

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), PS, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, P10, P11, P13, P14, P15 (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy P3 Density

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking further information.] We support development proposals that make the most efficient use of land however, National Highways seek to understand how constraints, including traffic generation and network capacity will be assessed and reported for optimum density developments. We also seek to understand how 'car-less' and 'carfree' or 'low car' will be managed. Evidence from other UK councils suggests that residents of these developments, and their visitors, park in adjacent or nearby residential streets. When this occurs in close proximity to SRN junctions there is the potential to impact the SRN, for example:

- constraints to junction operations
- safety implications
- limitations to freight movements

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN. Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

## Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of

development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.



Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy P3 Density

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

Density of 35 dwellings per hectare is absolutely not appropriate in semi-rural areas.

The absence of any reference in the 7 point policy to the importance of both wildlife and biodiversity is absolutely shocking.

Regrettably, without some compulsory purchase orders to secure land for dedicated cycle routes and footpaths, the repeated message in this Draft Local Plan that homeowners must forego their cars and take to a bicycle or their feet will just not happen.

Our area is already crowded and vehicular traffic is growing and WILL NOT REDUCE until and unless regular, affordable rail and bus connections are IN PLACE. Wonderful idealistic thinking but very far removed from reality.

#### Full text:

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will

adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of “cart before the horse” thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District’s population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council’s record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to ‘Hold the Line’ vs. ‘Managed Retreat’ in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city’s ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called ‘resilient road’ with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the “most crash prone A road” in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow

wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Policy P3 Density

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

This policy is generally supported, particularly in relation to encouraging higher densities in the most accessible locations.

**Full text:**

This policy is generally supported, particularly in relation to encouraging higher densities in the most accessible locations.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/shk>

## Support

**Document Element:** Policy P3 Density

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

#### Summary:

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

#### Full text:

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester. We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

#### Chapter 2: Vision & Strategic Objectives

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

#### Chapter 3: Spatial Strategy and Settlement Hierarchy

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

#### Policy S1 Spatial Development Strategy

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood. Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

#### Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is

consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

#### Chapter 4: Climate Change and the Natural Environment

##### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

##### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

##### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

#### Chapter 5: Housing

##### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

#### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

#### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

#### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'. However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

#### Chapter 6: Place-making

## Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

## Chapter 7: Employment and Economy

### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that “approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period.” Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

## Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council’s proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE’s land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE’s control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF

(2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

#### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

##### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.



Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>

D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>

East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>

Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>

Hunston Vision Document - <https://chichester.oc2.uk/a/t63>

Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Object

**Document Element:** Policy P3 Density

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

### Summary:

The policy needs to recognise that the density of development will need to increase within the Runcton HDA during the plan period and the Council should proactively plan for this in order to maintain the economic momentum of the Chichester food cluster. The need to increase density will assist in addressing the conclusions within the Council's evidence base that substantial land will be required outside current HDA's to meet the industry's needs. Increased densities will reduce the industry's land requirements, whilst also maintaining the countryside and ensuring economic growth.

### Full text:

The reference to making the most efficient use of land is recognised. The policy does however need to recognise that the density of development will need to increase within the Runcton HDA during the plan period and the Council should proactively plan for this in order to maintain the economic momentum of the Chichester food cluster. The need to increase density will assist in addressing the conclusions within the Council's evidence base that substantial land will be required outside current HDA's to meet the industry's needs. Increased densities will reduce the industry's land requirements, whilst also maintaining the countryside and ensuring economic growth.

### Change suggested by respondent:

The policy needs to recognise that the density of development will need to increase within the Runcton HDA during the plan period and the Council should proactively plan for this in order to maintain the economic momentum of the Chichester food cluster.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

### Attachments:

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/scn>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/swg>

## Support

**Document Element:** Policy P3 Density

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

### Summary:

Bellway support the requirement for 'Development proposals to make efficient use of land', broadly mirroring paragraph 119 of the NPPF. Bellway also support the restraint in avoiding arbitrary targets that pay little attention to the form of buildings, instead placing emphasis on a design led approach.

### Full text:

See attachment.

### Change suggested by respondent:

Pertinent parts of draft policy P3 could well be integrated with draft Policy P2, thereby helping to rationalise the number of policies.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

### Attachments:

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

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**Document Element:** Policy P3 Density

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Thakeham query the wording of paragraph 6.11 as it suggests that CDC require developments to be at a minimum of 35dph to meet their 5YHLS. We would question how this can be applied to sites that would fall below this density, for example where there might be site constraints that mean a lower density is more appropriate to create a well-designed scheme. More clarity should be provided in this paragraph to make it clear and robust.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

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**Document Element:** Background, 6.12

**Respondent:** Ms Louise Williamson [7836]

**Summary:**

Careful layout of highways and public spaces? With increased traffic, I fail to see how this can contribute to high quality design when there is risk of destroying a traditional and rural way of life.

**Full text:**

Careful layout of highways and public spaces? With increased traffic, I fail to see how this can contribute to high quality design when there is risk of destroying a traditional and rural way of life.

**Change suggested by respondent:**

Reduce the amount of houses allocated to be built in Loxwood

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

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**Document Element:** Background, 6.12

**Respondent:** Mr Simon Davenport [7100]

**Summary:**

Whilst accepting the need for vehicular access to property, it should be possible to include cul-de-sac roads where traffic is slowed and people and communities can interact more easily. Reducing the tendency for commercial vehicles to be parked in residential areas would also improve the look of high-quality design areas.

**Full text:**

Whilst accepting the need for vehicular access to property, it should be possible to include cul-de-sac roads where traffic is slowed and people and communities can interact more easily. Reducing the tendency for commercial vehicles to be parked in residential areas would also improve the look of high-quality design areas.

**Change suggested by respondent:**

Highway layout needs to concentrate on all road users and pedestrians/ cyclists restricting access in some areas to create better environments especially for areas of high density dwellings.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 6.17

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

The statistical base used for the number of cars used by homeowners is almost certainly inaccurate as the amount of parking needs to be sufficient to cater for households where there are two or more working family members.

**Full text:**

The statistical base used for the number of cars used by homeowners is almost certainly inaccurate as the amount of parking needs to be sufficient to cater for households where there are two or more working family members.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P4 Layout and Access

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P4 Layout and Access

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Any development should have roads adopted by the local council and not given over to Management companies. This ensures the roads are built to a high standard and that developments do not become exclusive to the communities they are located in. We have developments where the roads are private and this has caused problems with access for local residents.

**Full text:**

Any development should have roads adopted by the local council and not given over to Management companies. This ensures the roads are built to a high standard and that developments do not become exclusive to the communities they are located in. We have developments where the roads are private and this has caused problems with access for local residents.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy P4 Layout and Access

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), PS, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, P10, P11, P13, P14, P15 (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy P4 Layout and Access

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking clarity on the approach e.g., severance.] Considerations should be given, and evidence provided, on how new active travel links will integrate with the wider network including the existing A27 pedestrian and cycle footbridges and active travel routes along/intersecting the A27 corridor and how new facilities will be funded, monitored, and maintained. This is an important measure to reduce demand on the A27.

We seek clarity on how severance will be addressed and potential severance impacts.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.

- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the ‘Strategic road network and the delivery of sustainable development’ (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.



We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Support

**Document Element:** Policy P4 Layout and Access

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Support in principle. Wording amendments in additional rep - 5419.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy P4 Layout and Access

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

We can only reiterate our earlier comments. The District is nowhere near in a position to provide an integrated public transport solution to its residents. There is no evidence in this Draft Local Plan of Future-Proof masterplan for the City of Chichester or the District. Policy P4 is thus unsound and smacks of Mission Impossible.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity,

as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and

all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy P4 Layout and Access

**Respondent:** Stagecoach South (Rob Vince) [8141]

#### Summary:

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

#### Full text:

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

#### 1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban

Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18

and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation partake to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be



effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the ‘Five Villages’ area in Arun District.” We unequivocally endorse this conclusion. Realising a “game-changing” level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and

Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be “enhanced” and “reinforced”.

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District’s mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

## Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

## 4. Climate Change and the Natural Environment

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently

- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first through maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot

credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide has "run out of road" no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

## 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.



The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d'être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network

resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

...”

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan’s own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan’s Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as

far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

• Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing

management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be

provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ...

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.



Policy A6 should be modified to read:

"...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

"..."

#### 9.5. Policy A7 Land at Shopwhyke

##### Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lies on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

" ...  
 12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
 ..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

" ...  
 9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;  
 ..."

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

" ...  
 5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis o maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;  
 ..."

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

“ ...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“ ...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure

and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“...  
8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

Policy P4 needs to be modified to address this point:

“1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx -  
<https://chichester.oc2.uk/a/skh>

## Object

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**Document Element:** Policy P4 Layout and Access

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

As with Policy P2, whilst the principle of providing inclusive, accessible layouts and prioritizing walking and cycling is advocated, the policy is overly detailed and prescriptive, relating to matters more appropriately included in a design guide rather than planning policy. It is also considered the policy replicates points made in policies 2 and 5 in particular. See representation report for more detail and context.

**Full text:**

As with Policy P2, whilst the principle of providing inclusive, accessible layouts and prioritizing walking and cycling is advocated, the policy is overly detailed and prescriptive, relating to matters more appropriately included in a design guide rather than planning policy. It is also considered the policy replicates points made in policies 2 and 5 in particular. See representation report for more detail and context.

**Change suggested by respondent:**

See above.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/shz>

## Object

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**Document Element:** Policy P4 Layout and Access

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway welcome the intent, but recommend that flexibility be built into this policy to enable sites to be able to respond to specific site opportunities and constraints. Subject to this modification, Bellway contend that the draft Policy 'P4' as conveyed in the draft Plan has been positively prepared, is fully justified, effective and consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

Bellway suggest adopting similar wording to that in draft Policy P2 which enables deviation to the design parameter subject to justification.

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

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**Document Element:** Background, 6.23

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

Ideally this and similar paragraphs (e.g. 6.24) which refer to trees for shade would recognise the additional cooling benefit of trees due to transpiration - the release of water from leaves, effectively creating a natural air conditioner.

**Full text:**

Ideally this and similar paragraphs (e.g. 6.24) which refer to trees for shade would recognise the additional cooling benefit of trees due to transpiration - the release of water from leaves, effectively creating a natural air conditioner.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Background, 6.24

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

Ideally this and similar paragraphs (e.g. 6.23, but there may be others) which refer to trees for shade would recognise the additional cooling benefit of trees due to transpiration - the release of water from leaves, effectively creating a natural air conditioner.

**Full text:**

Ideally this and similar paragraphs (e.g. 6.23, but there may be others) which refer to trees for shade would recognise the additional cooling benefit of trees due to transpiration - the release of water from leaves, effectively creating a natural air conditioner.

**Change suggested by respondent:**

Ideally this and similar paragraphs (e.g. 6.23, but there may be others) which refer to trees for shade would recognise the additional cooling benefit of trees due to transpiration - the release of water from leaves, effectively creating a natural air conditioner.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

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**Document Element:** Background, 6.25

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

See also representations on Policy NE8 Trees, Hedgerows and Woodlands.

**Full text:**

See also representations on Policy NE8 Trees, Hedgerows and Woodlands.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Support

**Document Element:** Background, 6.26

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

See also representations on Policy NE8 Trees, Hedgerows and Woodlands, particularly the need for biosecurity requirements.

**Full text:**

See also representations on Policy NE8 Trees, Hedgerows and Woodlands, particularly the need for biosecurity requirements.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 6.27

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

See also representations on Policy NE8 Trees, Hedgerows and Woodlands, particularly the need to ensure (our proposed wording) "Developments will be expected to retain existing and planted trees for the long term and demonstrate succession planning."

An example of why retention/succession needs to be explicit comes from summer 2022, when Chichester College cleared all the trees internal to its main car parking areas, defeating the object of the planting scheme on which planning permission was given in the late 1980s and a subsequent large new building was approved.

**Full text:**

See also representations on Policy NE8 Trees, Hedgerows and Woodlands, particularly the need to ensure (our proposed wording) "Developments will be expected to retain existing and planted trees for the long term and demonstrate succession planning."

An example of why retention/succession needs to be explicit comes from summer 2022, when Chichester College cleared all the trees internal to its main car parking areas, defeating the object of the planting scheme on which planning permission was given in the late 1980s and a subsequent large new building was approved.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** Jenny Cole [7114]

**Summary:**

Paragraph 4 of Policy P5 needs to add the consideration of climate change adaption measure including the the Dark Sky policy directive from The South Downs National Park, as a design aspiration so that all lighting is designed to be sensitive to the needs of nature.

Para 8 needs to conserve planting already in place and build developments around hedges and trees that are already established as per new directive ; Creating healthy and sustainable places for West Sussex.

**Full text:**

Paragraph 4 of Policy P5 needs to add the consideration of climate change adaption measure including the the Dark Sky policy directive from The South Downs National Park, as a design aspiration so that all lighting is designed to be sensitive to the needs of nature. So that it is only lit for the minimum length of time for safety and all lights face downwards and do not detract from flight corridors of any airborne species, not does the lighting dazzle or infringe on non human activities in a way disadvantages the activities of wildlife.

Para 8 needs to conserve planting already in place and build developments around hedges and trees that are already established as per new directive from West Sussex ; Creating healthy and sustainable places for West Sussex. The aspiration from the Vision statement where Item 6 is Thriving and Accessible Natural Environments. Cutting down the natural environment to replant it afterwards doesn't work. The photo on page 10 is of the cathedral in Chichester as seen from the Bishops Palace Gardens, with its established trees. Emulate this beautiful garden that was established at the same time as the cathedral and we start well.

**Change suggested by respondent:**

Paragraph 4 of Policy P5 needs to add the consideration of climate change adaption measure including the the Dark Sky policy directive from The South Downs National Park, as a design aspiration so that all lighting is designed to be sensitive to the needs of nature.

Para 8 needs to conserve planting already in place and build developments around hedges and trees that are already established as per new directive ; Creating healthy and sustainable places for West Sussex.

Without these additions the policy is unsound as it is unsustainable.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), P5, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, P10, P11, P13, P14, P15 (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Support intent of Policy and emphasis placed on multi-functional spaces although surprised by assertion that all open space should be lit. Might need clarification.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

As with Policies P2 and P4, whilst the principles of providing attractive, well landscaped space is supported, the policy is overly detailed and prescriptive, relating to matters more appropriately included in a design guide rather than planning policy. It is also considered the policy replicates points made in policies 2 and 4 in particular.

See representation report

**Full text:**

As with Policies P2 and P4, whilst the principles of providing attractive, well landscaped space is supported, the policy is overly detailed and prescriptive, relating to matters more appropriately included in a design guide rather than planning policy. It is also considered the policy replicates points made in policies 2 and 4 in particular.

See representation report

**Change suggested by respondent:**

See above.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/shm>

## Support

**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

The Woodland Trust supports this policy. In particular, we welcome policy to prioritise the use of locally native species and the retention of existing trees (point 8), for to connecting existing green infrastructure corridors and seek to create new ones (point 9), supporting appropriate new tree planting (point 10) and wildlife passages (point 11).

**Full text:**

The Woodland Trust supports this policy. In particular, we welcome policy to prioritise the use of locally native species and the retention of existing trees (point 8), for to connecting existing green infrastructure corridors and seek to create new ones (point 9), supporting appropriate new tree planting (point 10) and wildlife passages (point 11).

We recommend setting a tree canopy cover target to support the Council's Climate Emergency Action Plan. The Woodland Trust supports the UK Committee on Climate Change's recommended increase in UK woodland cover from the current 13% of land area to at least 19% by 2050.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

residential-developments-and-trees.pdf - <https://chichester.oc2.uk/a/s5y>

## Object

**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

We recommend setting a tree canopy cover target to support the Council's Climate Emergency Action Plan. The Woodland Trust supports the UK Committee on Climate Change's recommended increase in UK woodland cover from the current 13% of land area to at least 19% by 2050.

**Full text:**

The Woodland Trust supports this policy. In particular, we welcome policy to prioritise the use of locally native species and the retention of existing trees (point 8), for to connecting existing green infrastructure corridors and seek to create new ones (point 9), supporting appropriate new tree planting (point 10) and wildlife passages (point 11).

We recommend setting a tree canopy cover target to support the Council's Climate Emergency Action Plan. The Woodland Trust supports the UK Committee on Climate Change's recommended increase in UK woodland cover from the current 13% of land area to at least 19% by 2050.

**Change suggested by respondent:**

We recommend setting a tree canopy cover target to support the Council's Climate Emergency Action Plan. The Woodland Trust supports the UK Committee on Climate Change's recommended increase in UK woodland cover from the current 13% of land area to at least 19% by 2050.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

residential-developments-and-trees.pdf - <https://chichester.oc2.uk/a/s5y>

## Object

**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We support this policy as drafted, save for amending the reference to green infrastructure as per our comments for Policy P1. The expectation for development to integrate climate change adaption measures in point 4 is positive.

**Full text:**

We support this policy as drafted, save for amending the reference to green infrastructure as per our comments for Policy P1. The expectation for development to integrate climate change adaption measures in point 4 is positive.

**Change suggested by respondent:**

Amending the reference to green infrastructure to green/blue infrastructure as per our comments for Policy P1.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

Legally compliant/duty to co-operate - don't know.

Sound: we broadly support this Policy but, for consistency with other parts of the Plan and completeness, suggest a couple of tweaks.

**Full text:**

Legally compliant/duty to co-operate - don't know.

Sound: we broadly support this Policy but, for consistency with other parts of the Plan and completeness, suggest a couple of tweaks.

**Change suggested by respondent:**

P5, para.8 add "and hedgerows" after "existing trees".

P5, para. 10 add "and transpiration" after "solar shading" (before "benefits").

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Paragraph 6.20 appears to be asking for brick walls on boundaries that face the public realm or shared parking areas.

These are not only costly and often quite a hard, engineered approach that can often be more sensitively designed with a fence and/or planting. In Thakeham's view planting should be encouraged over brick walls, not only for aesthetic reasons, but for wildlife and Biodiversity Net Gain benefits.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** Barratt David Wilson Homes [7523]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

### Summary:

Wording of criteria 7. (use of permeable materials) is inconsistent with the drainage hierarchy as set out in national Planning Practice Guidance (PPG). Accordingly the policy is unreasonably restrictive.

[see attached representation for further information]

### Full text:

1 Henry Adams LLP act on behalf of Barratt David Wilson (Client) in respect of Land at Maudlin Farm (the Site). These representations respond to the Regulation 19 Consultation version of the Chichester Local Plan 2021-2039 (Feb 2023), which identifies the site as a Strategic Development allocation through Policy A11 Highgrove Farm, Bosham.

1.2 In this context, our response is focused on the following matters;

- ☒ The development strategy, settlement hierarchy and distribution of development,
- ☒ The overall amount of new housing required within the new plan period, and
- ☒ The strategic allocation proposed at Bosham in Policy A11.

1.3 The Site is subject of a live application which was submitted over 2 years to the Council, following publication of an Interim Housing Statement, which encouraged applications on suitably located sites, including those comprising draft allocations. The Council are yet to determine this application. This submission is accompanied by the design and access statement (Appendix 1) submitted with the live application for the site which focuses on the site opportunities and constraints alongside the design considerations.

In summary, the Client supports the allocation of Highgrove Farm, Bosham for residential development. The technical work and accompanying design and access statement demonstrate that the site is capable of delivering 300 dwellings during the course of the plan period.

6.2 The Client would however request that amendments be made to the wording of the policy to allow for a level of flexibility so that any future development can be aligned with what is appropriate to deliver to meet local needs.

### Change suggested by respondent:

It is recommended that this be addressed with an amendment to follow the recommendations of the PPG.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

### Attachments:

Local Plan Reg 19 Representation obo BDW - <https://chichester.oc2.uk/a/smq>

Highgrove Farm, Bosham A11 - <https://chichester.oc2.uk/a/snr>

Highgrove Farm, Bosham H1 - <https://chichester.oc2.uk/a/sns>

Highgrove Far, Bosham E2 - <https://chichester.oc2.uk/a/snt>

Highgrove Farm, Bosham P5 - <https://chichester.oc2.uk/a/sn3>

Highgrove Farm, Bosham S1 - <https://chichester.oc2.uk/a/sn4>

## Object

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**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** Barratt David Wilson Homes [7523]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

The wording of criterion 7 is inconsistent with the drainage hierarchy set out in national Planning Practice Guidance (PPG) paragraph 056. Policy is unreasonably restrictive and fails to recognise the guidance which allows for a hierarchy of options for the management of surface water drainage. The reason being is that it will not be possible to achieve infiltration drainage solutions on all sites, which Policy P5 would currently require. It is recommended that this be addressed with an amendment to follow the recommendations of the PPG.

**Full text:**

See attachment.

**Change suggested by respondent:**

Amend P5 to follow recommendations of PPG.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/syq>

## Support

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**Document Element:** Policy P5 Spaces and Landscaping

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England support the policy criteria which require development proposals to create opportunities to promote biodiversity and to positively contribute to Green Infrastructure connectedness.

**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and

Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

**Object**

**Document Element:** Background, 6.29

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Definition of amenity is required.

**Full text:**

Definition of amenity is required.

**Change suggested by respondent:**

Definition of amenity is required.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Object

**Document Element:** Policy P6 Amenity

**Respondent:** RADAR (. RADAR ACTION GROUP, Member) [7813]

**Summary:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently.

(Address can be supplied, if requested but withheld for Legal reasons) Past performance undermines the Soundness of the Plan and possibly the Legality.

The Historic City should already be protected by the CDC but the Planning Department have not implemented or enforced policies with any effect or Confidence nor taken account of the sensitivity of the area next to the Cathedral and Boarding School and has left the Conservation Area and Residents and RISK.

**Full text:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently.

(Address can be supplied, if requested but withheld for Legal reasons) Past performance undermines the Soundness of the Plan and possibly the Legality.

The Historic City should already be protected by the CDC but the Planning Department have not implemented or enforced policies with any effect or Confidence nor taken account of the sensitivity of the area next to the Cathedral and Boarding School and has left the Conservation Area and Residents and RISK.

**Change suggested by respondent:**

A clear distinction between the Residential areas of the City Centre. Zoning of Bar/Club night time economy should be sought for the protection of the Conservation Area and Residents

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy P6 Amenity

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

This policy is not sound because it not effective, and is not legal given that does not make a specific reference to policy P11 (which gives protection to views into and out of the area) over and above separation distances, and the failure to recognise this could result harm to conservation and heritage benefits of conservation areas, such as Saxon Meadow, which is currently surrounded by agricultural fields and is threatened with overdevelopment, encroachment. This risk seems to be playing out in the masterplan.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergencV"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversitV"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat

- 9, P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
- 17, P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"
- 23, P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

#### Change suggested by respondent:

The separation distances proposed in the masterplan are not sufficient and need to be increased materially.

Local plan should also be changed as follows:

#### Separation distances

Development shall maintain suitable separation distances between the windows of habitable rooms in dwellings (principal living rooms, principal dining areas, bedrooms and kitchens where there is not separate dining room) and the windows and walls of other properties to ensure that an appropriate level of amenity is provided and retained for all residential occupiers. It will generally be expected that no less than 21 metres is proposed between facing principal windows of habitable residential rooms and windows of other uses that could result in significant overlooking.

Appropriate distances will be considered on an individual site and design basis considering aspects such as density, scale, height differences and site levels. In circumstances where land levels vary or the difference in building heights is greater than one storey or new development is proposed next to a conservation area longer separation distances will be ordinarily required to support the delivery of policy PI 1. Shorter distances will be permitted where they are necessary to secure the positive reuse of a historic building or are consistent with the character of the local area subject to it being demonstrated that an appropriate level of amenity for existing and future occupiers would be achieved.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

**Support**

**Document Element:** Policy P6 Amenity

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

■ Support in principle

**Full text:**

■ Assessment of amenity in any development clearly requires a great deal of attention during the pre-application process and Parish Councils and local residents should be consulted on the detail at this stage.

**Change suggested by respondent:**

■ -

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Support**

**Document Element:** Policy P6 Amenity

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

■ WGPC supports this policy intent.

**Full text:**

■ WGPC supports this policy intent.

**Change suggested by respondent:**

■ -

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P6 Amenity

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Assessment of amenity in any development clearly requires a great deal of attention during the pre-application process.

**Full text:**

Assessment of amenity in any development clearly requires a great deal of attention during the pre-application process and Parish Councils and local residents should be consulted on the detail at this stage.

**Change suggested by respondent:**

Parish Councils and local residents should be consulted on the detail at this stage.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P6 Amenity

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), PS, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, PIO, P11, P13, P14, PIS (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy P6 Amenity

**Respondent:** Home Builders Federation (Mr Mark Behrendt, Local Plans Manager SE and E) [7316]

**Summary:**

Policy is unsound as it has not been justified.

21. This policy will require all new residential development to meet the nationally described space standards. As the Council will be aware in order to adopt these standards the Council must show that there is a need for such homes within the District, but we could not find the evidence referred to in paragraph 11.105 of the Local Plan. If the Council cannot provide sufficient evidence to support the adoption of these standards, then this policy should be deleted.

**Full text:**

See attachment.

**Change suggested by respondent:**

If the Council cannot provide sufficient evidence to support the adoption of these standards, then this policy should be deleted.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

HBF rep Chichester LP march 2023 redacted - <https://chichester.oc2.uk/a/sg6>

## Support

**Document Element:** Policy P6 Amenity

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Support in principle. Changes to policy in additional rep - 5423.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy P6 Amenity

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

We agree with the need to provide suitable amenity standards for residents. However, a number of the policy points are replicated elsewhere, for example in relation to noise and lighting requirements.

**Full text:**

We agree with the need to provide suitable amenity standards for residents. However, a number of the policy points are replicated elsewhere, for example in relation to noise and lighting requirements.

**Change suggested by respondent:**

In respect of Space Standards, whilst the phase 2 of Chichester is intending to meet NDSS standards, any such policy requirement needs appropriate justification as set out in footnote 49 of the NPPF.

In respect of separation distances, it is suggested that the 21 meter back to back distance be clarified that this is between first floor windows. Lower separation distances may be acceptable between single storey dwellings such as bungalows.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/shn>

## Object

**Document Element:** Policy P6 Amenity

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Support intent of Policy albeit many criteria (a-g) overlap with other policies. Scope for consolidation. Requirement for new homes to meet NDSS acknowledged, important to test implications of requirement on whole plan viability. Should be recognised that requirement to meet NDSS in combination with M4(2) will influence overall density achieved on a site and could serve to limit overall number of homes delivered. Approach to external amenity space welcomed, cross over with earlier policies re; noise pollution/odour. Rigid adherence to 21m separation distance between directly facing principal windows of habitable rooms can result in unintended consequences and jar with creation of distinctive places exhibiting a tighter grain. Pleased to see flexibility afforded.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy P6 Amenity

**Respondent:** Ms Lindsay Davey [7844]

**Summary:**

Policy 6 is inconsistent with the sustainability appraisal; it does not protect or enhance the natural environment; does not promote health and wellbeing; nor does it protect and enhance heritage.

As a resident of Saxon Meadow the 21 metre separation distance has an unacceptable impact on my amenity, health and wellbeing, my property's future value. It also has an unacceptable impact on the surrounding biodiversity and the Conservation Area.

Inadequate outlook would lead to a sense of enclosure and also cause increased light pollution due to the close proximity of new housing to Saxon meadow. [see attached representation for further details].

**Full text:**

See representation

**Change suggested by respondent:**

- Reduce and or alter the housing density of the propose plan in the south/south east area of the [Tangmere] development so to enable more green space to be created.
- Shift the proposed housing in the south/south-east area further south towards the Tangmere Road and this increase the greenspace border between the housing and Saxon Meadow.

The above would all help to reduce the detrimental amenity impact and help redress the damage to outlook and views to and from Saxon Meadow residences, health and well being and sense of enclosure. It would extend and expand the greenspace/corridors around the Conservation Area this help reducing the negative effects to wildlife/biodiversity.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Redacted paper submission - <https://chichester.oc2.uk/a/skz>

P6 Amenity - redacted - <https://chichester.oc2.uk/a/szh>

Representation Form 4 - redacted - <https://chichester.oc2.uk/a/smx>

Representation Form 5 - redacted - <https://chichester.oc2.uk/a/smj>

## Object

**Document Element:** Policy P6 Amenity

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Re; Point 1, needs to be clear if this relates to private amenity space, or just public. If it refers to private amenity space, will require setting aside specific space for flats, often difficult to achieve.

Re; (g), not clear if this would relate to air source heat pumps (ASHP). Commonly ASHPs do not have enclosures around them as they restrict the air flow.

Re; "separation distances" section, 21 metres not achievable on front-front or front-side scenarios, would significantly impact ability to design sites to the target density of 35dph.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Suggest wording of Point 1 is amended. suggest further clarity is provided re; (g). Separation Distances paragraph 2 needs reviewing and clarifying to ensure it's consistent with wider aspirations of the Local Plan.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

**Document Element:** Policy P6 Amenity

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

It is unclear if PV, EV and ASHP's are defined as 'service' equipment. These elements are often difficult to be fully integrated all of the time, and would make this element of the policy ineffective for the duration of the plan period. We would suggest this is defined in a footnote for avoidance of doubt.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/smp>

## Support

**Document Element:** Policy P7 Alterations and Extensions

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

.

**Full text:**

.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P7 Alterations and Extensions

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P7 Alterations and Extensions

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), PS, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, PIO, P11, P13, P14, PIS (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy P7 Alterations and Extensions

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

Rolls-Royce Motor Cars (R-RMC) supports the principle of draft Policy P7 which supports alterations and extensions where this does not result in over-intensification or cause harm to the character of the local area. R-RMC consider this draft policy a positive approach to delivering Section 11 (Making effective use of land) of the National Planning Policy Framework (NPPF). Paragraph 120 of the NPPF encourages local authorities to 'promote and support the development of under-utilised land and buildings'. This policy is therefore considered justified, effective and sound.

**Full text:**

Rolls-Royce Motor Cars (R-RMC) supports the principle of draft Policy P7 which supports alterations and extensions where this does not result in over-intensification or cause harm to the character of the local area. R-RMC consider this draft policy a positive approach to delivering Section 11 (Making effective use of land) of the National Planning Policy Framework (NPPF). Paragraph 120 of the NPPF encourages local authorities to 'promote and support the development of under-utilised land and buildings'. This policy is therefore considered justified, effective and sound.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** None



## Object

**Document Element:** Policy P7 Alterations and Extensions

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

Legally compliant/duty to co-operate - don't know.

Sound: see also representations on Policy NE8 Trees, Hedgerows and Woodlands, particularly our proposed wording to "Delete "major" in NE8, para. 6 and add "(off-site, ideally nearby, if no opportunity onsite)". Extensions and alterations requiring planning permission can contribute to tree cover net gain through enhancing street tree cover, at least on public highways. (West Sussex County Council has a donate-a-tree scheme: <https://www.westsussex.gov.uk/roads-and-travel/maintaining-roads-verges-and-pavements/verge-maintenance/donate-a-tree-scheme/> . Trees need to be watered appropriately during their first 3-5 years.)

**Full text:**

Legally compliant/duty to co-operate - don't know.

Sound: see also representations on Policy NE8 Trees, Hedgerows and Woodlands, particularly our proposed wording to "Delete "major" in NE8, para. 6 and add "(off-site, ideally nearby, if no opportunity onsite)". Extensions and alterations requiring planning permission can contribute to tree cover net gain through enhancing street tree cover, at least on public highways. (West Sussex County Council has a donate-a-tree scheme: <https://www.westsussex.gov.uk/roads-and-travel/maintaining-roads-verges-and-pavements/verge-maintenance/donate-a-tree-scheme/> . Trees need to be watered appropriately during their first 3-5 years.)

**Change suggested by respondent:**

Add:

"Increase tree cover by providing for one or more street trees to be planted to complement the site's setting, or nearby if no opportunity exists on public highway adjacent to the site."

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Background, 6.42

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

This is a very big issue and again is going to require very substantial surveillance and again more detail in the pre-application phase.

**Full text:**

This is a very big issue and again is going to require very substantial surveillance and again more detail in the pre-application phase.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 6.46

**Respondent:** Mr Simon Davenport [7100]

**Summary:**

The increasing use of timber effect cladding (also steel and tinted glass) is most unfortunate and deleteriously affects the appearance of new design and renovation to older properties. It does not blend with existing building and the neighbouring architectural finishes.

**Full text:**

The increasing use of timber effect cladding (also steel and tinted glass) is most unfortunate and deleteriously affects the appearance of new design and renovation to older properties. It does not blend with existing building and the neighbouring architectural finishes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P8 Materials and Detailing

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

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**Full text:**

.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P8 Materials and Detailing

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P8 Materials and Detailing

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Whilst Miller and Vistry are committed to using high quality, sustainable materials, we have concerns about policy P8. Policy P8 is particularly prescriptive in regards to what materials and detailing should be used, for example on the types of cladding that can be used (point 9) or suggesting the avoidance of commonly used upvc windows (point 11). Such prescription within planning policy is likely to stifle innovation and is not justified and any such points should be removed. The reference to 'value engineering approaches' is also not required or justified. Each application should be assessed on its own merits.

**Full text:**

Whilst Miller and Vistry are committed to using high quality, sustainable materials, we have concerns about policy P8. Policy P8 is particularly prescriptive in regards to what materials and detailing should be used, for example on the types of cladding that can be used (point 9) or suggesting the avoidance of commonly used upvc windows (point 11). Such prescription within planning policy is likely to stifle innovation and is not justified and any such points should be removed. The reference to 'value engineering approaches' is also not required or justified. Each application should be assessed on its own merits.

**Change suggested by respondent:**

Our suggestion is this policy be deleted and reference to the need to use high quality materials and detailing incorporated into other design policies.

See rep report for more context.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/shy>

## Object

**Document Element:** Policy P8 Materials and Detailing

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Query whether there is a need to have an entire policy dedicated to materials and detailing, when this could be incorporated within draft Policy P1 (design). Some aspects are prescriptive such as requirement to 'avoid UPVC products'. Alternatives might well be available but will add significant cost. Unclear whether such policy requirements have fed into whole plan viability assessment.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

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**Document Element:** Policy P8 Materials and Detailing

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Point 6 - If features such as chimneys are desired to be incorporated into a scheme, then they need to be GRP. GRP chimneys can be in keeping with existing character of an area and should not be dismissed with a blanket policy such as this.

Point 9 - fibre cement boarding can be a visually attractive design within a development. If cladding is to be used it is preferred to be fibre cement due to safety benefits. Timber is combustible and even if it has been treated poses a fire risk. Timber is not recommended by Building Regulations, further support of this is within The Building Safety Act.

Point 10 - would recommend this is assessed on a case-by-case basis depending on what blocks are put forward at design stage.

Point 11 - uPVC provides a robust and reliable material at a reasonable price which is highly popular in the housing market. It is also a product that house buyers would commonly expect to find on a new-build and are familiar with.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Reconsider wording of point 6 of Policy P8. Either remove point 11 or amend as follows: "The use of uPVC will not be unsupported, however the use of alternative materials with environmental benefits will be encouraged".

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/szx>

## Object

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**Document Element:** Policy P8 Materials and Detailing

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

Criteria 9 and 11 are considered overly prescriptive and insufficiently flexible to effectively address site specific circumstances.

Penultimate paragraph sufficiently ambiguous to compromise effectiveness of policy as may be justifiable reasons why alternative materials may have to be sought on approved schemes to address particular site-specific factors.

**Full text:**

See attachment.

**Change suggested by respondent:**

Recommend criteria 9 and 11 and penultimate paragraph be deleted.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/smp>

## Object

**Document Element:** Background, 6.48

**Respondent:** RADAR (. RADAR ACTION GROUP, Member) [7813]

**Summary:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently. Past performance undermines the Soundness of the Plan and possibly the Legality.

**Full text:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently.

(Address can be supplied, if requested but withheld for Legal reasons) Past performance undermines the Soundness of the Plan and possibly the Legality.

The Historic City should already be protected by the CDC but the Planning Department have not implemented or enforced policies with any effect or Confidence nor taken account of the sensitivity of the area next to the Cathedral and Boarding School and has left the Conservation Area and Residents and RISK.

**Change suggested by respondent:**

A clear distinction between the Residential areas of the City Centre. Zoning of Bar/Club night time economy should be sought for the protection of the Conservation Area and Residents.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Background, 6.52

**Respondent:** Chichester Tree Wardens (Ms Paula Chatfield, Chair (volunteer)) [8014]

**Summary:**

Legally compliant/duty to co-operate - don't know.

Sound: Please see our response to para. 2.28:

the Plan fails to connect trees with the Historic Environment; historic trees are also finite resources (NPPF irreplaceable habitat) for which management and protection is needed to ensure their importance is retained.

**Full text:**

Legally compliant/duty to co-operate - don't know.

Sound: Please see our response to para. 2.28:

the Plan fails to connect trees with the Historic Environment; historic trees are also finite resources (NPPF irreplaceable habitat) for which management and protection is needed to ensure their importance is retained.

**Change suggested by respondent:**

Include "and trees" after "important historic buildings".

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Background, 6.53

**Respondent:** RADAR (. RADAR ACTION GROUP, Member) [7813]

**Summary:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently. Past performance undermines the Soundness of the Plan and possibly the Legality. City should be protected by the CDC but Planning Department who have not implemented/enforced policies with any effect/Confidence nor taken account of the sensitivity of the area next to Cathedral/Boarding School and has left the Conservation Area and Residents and RISK.

**Full text:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently.(withheld for Legal reasons) Past performance undermines the Soundness of the Plan and possibly the Legality. City should be protected by the CDC but Planning Department who have not implemented/enforced policies with any effect/Confidence nor taken account of the sensitivity of the area next to Cathedral/Boarding School and has left the Conservation Area and Residents and RISK.

**Change suggested by respondent:**

A clear distinction between the Residential areas of the City Centre.  
Zoning of Bar/Club night time economy (south Street) should be sought for the protection of the Conservation Area and Residents.

Listed buildings in residential areas should not be used for amplified music venues.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Background, 6.54

**Respondent:** Mr Simon Davenport [7100]

**Summary:**

Conservation of heritage is most important and helpful that the council is supporting this.

**Full text:**

Conservation of heritage is most important and helpful that the council is supporting this.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P9 The Historic Environment

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy intent.

**Full text:**

WGPC supports this policy intent.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P9 The Historic Environment

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), P5, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, P10, P11, P13, P14, P15 (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy P9 The Historic Environment

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The plan should acknowledge the role the historic environment plays in the economic vitality of the District. It should require through any heritage assessment accompanying a development proposal affecting a heritage asset, an analysis of the contribution of that asset individually and collectively to the local economy.

Heritage assessments frequently focus on the design and fabric of the asset and its immediate setting. Less frequent is an assessment considering the individual role of the asset in the distinctiveness of a settlement which makes it attractive to visitors and encourages visitor spend.

**Full text:**

The plan should acknowledge the role the historic environment plays in the economic vitality of the District. It should require through any heritage assessment accompanying a development proposal affecting a heritage asset, an analysis of the contribution of that asset individually and collectively to the local economy.

Heritage assessments frequently focus on the design and fabric of the asset and its immediate setting. Less frequent is an assessment considering the individual role of the asset in the distinctiveness of a settlement which makes it attractive to visitors and encourages visitor spend.

**Change suggested by respondent:**

The plan should require through any heritage assessment accompanying a development proposal affecting a heritage asset, an analysis of the contribution of that asset individually and collectively to the local economy; assessing contribution before and after the development proposed .

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy P9 The Historic Environment

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway welcome the positive stance under criteria 3 and 4, albeit the remaining criteria merely repeat large tracts of national policy. It is unclear what criteria 1, 2 and 5 add.

**Full text:**

See attachment.

**Change suggested by respondent:**

This could be consolidated into a single heritage policy, noting that there are separate policies dealing with Listed Buildings (P10) and Conservation Area (P11).

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>



## Object

**Document Element:** Policy P9 The Historic Environment

**Respondent:** Kirdford Parish Council [1875]

**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]

**Summary:**

States at paragraph 2 that non-designated heritage assets will be identified and conserved and enhanced in accordance with their significance and contribution to the historic environment, yet it does not state how they will be identified and what the Council's approach will be to this.

**Full text:**

See attachment.

**Change suggested by respondent:**

Request Policy is modified so that it is effective and unambiguous that there are a number of processes through which non-designated heritage assets can be identified including the local plan, neighbourhood plans and conservation area appraisals and reviews. This is all set out in PPG58 and this guidance should be followed by CDC to amend Policy P9 or create a new policy focused just on non-designated heritage assets.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp8>

## Support

**Document Element:** Policy P9 The Historic Environment

**Respondent:** Historic England (Alan Byrne, Historic Environment Planning Adviser) [1084]

**Summary:**

We welcome the inclusion of policies for the historic environment in the local plan at Policies P9 - P13 that, along with other policies, meet the obligation for preparing the positive strategy required by the NPPF. The key test of the soundness of the plan and the achievement of sustainable development as defined in the NPPF in respect of the elements that relate to the historic environment (paragraph 190), in our view, have been met

**Full text:**

As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages of the planning process. This includes formulation of local development policy and plans, supplementary planning documents, area and site proposals, and the on-going review of policies and plans.

There are many issues and matters in the consultation document that are beyond the remit and concern of Historic England and our comments are, as required, limited to matters relating to the historic environment and heritage assets. In our previous comments (by online submissions dated 1 - 6 February 2019), Historic England focused on the objective of the National Planning Policy Framework to set out a positive strategy for the conservation, enjoyment and enhancement of the historic environment (now Paragraph 190, NPPF); and contain policies to deliver the conservation and enhancement of the historic environment (now Paragraph 190a, NPPF).

Our comments on the Regulation 18 stage draft Local Plan largely have been addressed in the current Publication version or are, in our view, not now likely to affect the soundness of the Local Plan.

We welcome the inclusion of policies for the historic environment in the local plan at Policies P9 - P13 that, along with other policies, meet the obligation for preparing the positive strategy required by the NPPF. The key test of the soundness of the plan and the achievement of sustainable development as defined in the NPPF in respect of the elements that relate to the historic environment (paragraph 190), in our view, have been met.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan 2021-2039 - <https://chichester.oc2.uk/a/spy>

## Object

**Document Element:** Background, 6.64

**Respondent:** RADAR (. RADAR ACTION GROUP, Member) [7813]

**Summary:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently. Past performance undermines the Soundness of the Plan and possibly the Legality. While change of use is necessary for the good of the City. Implementation of Planning enforcement should be adhered to.

**Full text:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently. ( Address can be supplied, if requested but withheld for Legal reasons) Past performance undermines the Soundness of the Plan and possibly the Legality. While change of use is necessary for the good of the City. Implementation of Planning enforcement should be adhered to.

The Historic City should already be protected by the CDC but the Planning Department have not implemented or enforced policies with any effect or Confidence nor taken account of the sensitivity of the area next to the Cathedral and Boarding School and has left the Conservation Area and Residents at RISK.

Listed buildings in residential areas should not be used for amplified music venues.

The Church of Rome & The Church Of England now have a stricter Policy and ethos in place of encouraging community usage for their deconsecrate churches and buildings.

**Change suggested by respondent:**

A clear distinction between the Residential areas of the City Centre.

Zoning of bar and night time economy should be sought for the protection of the Conservation Area and Residents.

Listed buildings in residential areas should not be used for amplified music venues

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy P10 Listed Buildings

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy.

**Full text:**

WGPC supports this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P10 Listed Buildings

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), PS, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, P10, P11, P13, P14, P15 (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy P10 Listed Buildings

**Respondent:** The Chichester Society (Mr Peter Evans, Chairman) [8021]

**Summary:**

Locally listed buildings in Chichester: the Chichester Society offers to work with CDC helping identify Historic Assets including additions to the Local List of suitable buildings. This is undertaken by civic societies in other parts of the country. Information on these schemes can be provided if required.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CHI-SOCIETY-LOCAL-PLAN - <https://chichester.oc2.uk/a/spj>

## Object

**Document Element:** Policy P10 Listed Buildings

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway welcome the positive stance to alterations to mitigate climate change and allow for reuse and positive attitude adopted by the Council in relation to Listed Buildings. However, policy merely repeats large tracts of national policy. It is unclear what it adds.

**Full text:**

See attachment.

**Change suggested by respondent:**

The draft policy could be consolidated into a single heritage policy.

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Document Element:** Policy P10 Listed Buildings

**Respondent:** Historic England (Alan Byrne, Historic Environment Planning Adviser) [1084]

**Summary:**

We welcome the inclusion of policies for the historic environment in the local plan at Policies P9 - P13 that, along with other policies, meet the obligation for preparing the positive strategy required by the NPPF. The key test of the soundness of the plan and the achievement of sustainable development as defined in the NPPF in respect of the elements that relate to the historic environment (paragraph 190), in our view, have been met.

**Full text:**

As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages of the planning process. This includes formulation of local development policy and plans, supplementary planning documents, area and site proposals, and the on-going review of policies and plans.

There are many issues and matters in the consultation document that are beyond the remit and concern of Historic England and our comments are, as required, limited to matters relating to the historic environment and heritage assets. In our previous comments (by online submissions dated 1 - 6 February 2019), Historic England focused on the objective of the National Planning Policy Framework to set out a positive strategy for the conservation, enjoyment and enhancement of the historic environment (now Paragraph 190, NPPF); and contain policies to deliver the conservation and enhancement of the historic environment (now Paragraph 190a, NPPF).

Our comments on the Regulation 18 stage draft Local Plan largely have been addressed in the current Publication version or are, in our view, not now likely to affect the soundness of the Local Plan.

We welcome the inclusion of policies for the historic environment in the local plan at Policies P9 - P13 that, along with other policies, meet the obligation for preparing the positive strategy required by the NPPF. The key test of the soundness of the plan and the achievement of sustainable development as defined in the NPPF in respect of the elements that relate to the historic environment (paragraph 190), in our view, have been met.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan 2021-2039 - <https://chichester.oc2.uk/a/spy>

## Object

**Document Element:** Policy P11 Conservation Areas

**Respondent:** RADAR (. RADAR ACTION GROUP, Member) [7813]

**Summary:**

City should be protected by the CDC but Planning Department who have not implemented/enforced policies with any effect/Confidence nor taken account of the sensitivity of the area next to Cathedral/Boarding School and has left the Conservation Area and Residents and RISK

**Full text:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently.(withheld for Legal reasons) Past performance undermines the Soundness of the Plan and possibly the Legality. City should be protected by the CDC but Planning Department who have not implemented/enforced policies with any effect/Confidence nor taken account of the sensitivity of the area next to Cathedral/Boarding School and has left the Conservation Area and Residents and RISK.

**Change suggested by respondent:**

A clear distinction between the Residential areas of the City Centre. Zoning of Bar/Club night time economy (south Street) should be sought for the protection of the Conservation Area and Residents.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy P11 Conservation Areas

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy.

**Full text:**

WGPC supports this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P11 Conservation Areas

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), PS, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, PIO, P11, P13, P14, PIS (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

---

**Document Element:** Policy P11 Conservation Areas

**Respondent:** Mr Simon Davenport [7100]

**Summary:**

If not accepted already, the Courts & Bus Station and related area should be registered a conservation area to preserve the early 20th century architecture and style.

**Full text:**

If not accepted already, the Courts & Bus Station and related area should be registered a conservation area to preserve the early 20th century architecture and style.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy P11 Conservation Areas

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway welcome the fact that the policy is tailored to local circumstances but is concerned that draft Policy P11 won't be regarded as positively prepared and consistent with the NPPF owing to criteria A2 requiring development to 'protect the setting'.

**Full text:**

See attachment.

**Change suggested by respondent:**

Re; criteria A2 requiring development to 'protect the setting', Bellway recommend changing this to 'adopting sensitive approach to the setting (including views into and out of the area)' or words to that effect.

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy P11 Conservation Areas

**Respondent:** Mr Oliver Gale [8154]

**Summary:**

The plan is not sound because it is inconsistent with protecting the setting of a Conservation Area. The development [Tangmere] will impair the views from Saxon meadow of Oving Church (see photo), Chichester Cathedral and the South Downs. There is a statutory duty under the Planning (Listed Buildings and Conservation Area) Act 1990 to preserve or enhance the character, appearance or setting of the area.

**Full text:**

See representation

**Change suggested by respondent:**

Modification of the plan to reduce the size of the development or cancel the development to maintain the existing views from Saxon Meadow.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

P11 Paper Submission - redacted - <https://chichester.oc2.uk/a/sz3>

T1 Paper submission - <https://chichester.oc2.uk/a/szv>

8.12 redacted - <https://chichester.oc2.uk/a/szb>

8.13 redacted - <https://chichester.oc2.uk/a/szc>

A14 redacted - <https://chichester.oc2.uk/a/szd>

NE5 Redacted - <https://chichester.oc2.uk/a/szw>

10.64 Redacted - <https://chichester.oc2.uk/a/szf>

A14 ORCHARD - redacted - <https://chichester.oc2.uk/a/szg>

**Document Element:** Policy P11 Conservation Areas

**Respondent:** Mrs Elspeth Rendall [8164]

**Summary:**

Council fails in plan to preserve and enhance conservation areas; ignored and disregarded Character Appraisal for Tangmere.

**Full text:**

Local authorities are required by law to preserve or enhance their Conservation Areas and part of that is to process is the production of a character appraisal to explain what is important about the area. I think that policy 11 has not been legally complied with as the council has failed in that its building plan fails to "preserve and enhance" its conservation area. In fact, far from being legally compliant, the council has ignored and disregarded the Character Appraisal carried out for it which concludes: "that the most significant features of the Tangmere Conservation Area are:

- Tranquil and rural character of the earlier historic core along Church Lane." (see relevant marked page from the Character appraisal) and extract from page 10 Tangmere Conservation Area (character appraisal and management proposals 2014)

The heritage of the "historic core" centres around the Saxon church (mentioned in the Domesday Book) and its immediate environs i.e. Saxon Meadow and the fields surrounding it and Saxon Meadow.

The commonwealth graves situated in St Andrew's Churchyard are of national importance and deserve to be surrounded with tranquillity and treated with respect. The links with WW11, the battle of Britain and Douglas Bader should be noted.

The views into and from Saxon Meadow include wide open farmland with vistas that include Oving Church Spire and Chichester Cathedral spires, as well as the South Downs. This farm land and the historic views within in both into and out of Saxon Meadow are worth saving and protecting for future generations. Indeed, the Saxon church of St Andrew's Tangmere has an historical link with St Andrew's Church, Oving which is situated along Church Lane in Oving. The fact that you can see the spire of the linked churches, i.e. from Oving you can see Tangmere church spire and vice versa is of import as there is an historical link between the two churches.

The rural nature of the historic tangmere around church lane, its wide open vistas and good arable farm land should be "preserved and protected" not destroyed. The plan is in total contrast this legal duty. The size, density and proximity of the buildings in a rural setting is unsympathetic and will destroy what I would have thought a conservation area was established to preserve.

For the reasons above the plan is also unsound.

See extracts and photos

**Change suggested by respondent:**

Plan needs move away from conservation areas otherwise Council will be acting unlawfully. To protect and preserve views, farmland and rural nature of historic Tangmere, conservation area needs to be extended to incorporate Tangmere and Oving. Council should look to use brownfield sites rather than destroy greenfield sites. Council should prioritise using unused buildings within city centre and urban sites to comply with its legal obligations under P11.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/szn>



**Document Element:** Policy P11 Conservation Areas

**Respondent:** Historic England (Alan Byrne, Historic Environment Planning Adviser) [1084]

**Summary:**

We welcome the inclusion of policies for the historic environment in the local plan at Policies P9 - P13 that, along with other policies, meet the obligation for preparing the positive strategy required by the NPPF. The key test of the soundness of the plan and the achievement of sustainable development as defined in the NPPF in respect of the elements that relate to the historic environment (paragraph 190), in our view, have been met.

**Full text:**

As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages of the planning process. This includes formulation of local development policy and plans, supplementary planning documents, area and site proposals, and the on-going review of policies and plans.

There are many issues and matters in the consultation document that are beyond the remit and concern of Historic England and our comments are, as required, limited to matters relating to the historic environment and heritage assets. In our previous comments (by online submissions dated 1 - 6 February 2019), Historic England focused on the objective of the National Planning Policy Framework to set out a positive strategy for the conservation, enjoyment and enhancement of the historic environment (now Paragraph 190, NPPF); and contain policies to deliver the conservation and enhancement of the historic environment (now Paragraph 190a, NPPF).

Our comments on the Regulation 18 stage draft Local Plan largely have been addressed in the current Publication version or are, in our view, not now likely to affect the soundness of the Local Plan.

We welcome the inclusion of policies for the historic environment in the local plan at Policies P9 - P13 that, along with other policies, meet the obligation for preparing the positive strategy required by the NPPF. The key test of the soundness of the plan and the achievement of sustainable development as defined in the NPPF in respect of the elements that relate to the historic environment (paragraph 190), in our view, have been met.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan 2021-2039 - <https://chichester.oc2.uk/a/spy>

**Document Element:** Policy P12 Non-Designated Heritage Assets

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy.

**Full text:**

WGPC supports this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P12 Non-Designated Heritage Assets

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Support intent of Policy 12 - consider it aids interpretation of national planning policies recognising importance of historic environment. Surprised by first section of criteria 2(c) in so far as implies non-designated heritage assets could be designated solely based on their contribution towards their surroundings. Would appear to be more a matter of townscape / character than heritage per-se. Note inclusion of archaeology in policy but would be surprised if criteria 4(a-c) need apply to all developments (even minor applications) that involve excavation and ground works. Perhaps more appropriately addressed through validation checklist.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Support

**Document Element:** Policy P12 Non-Designated Heritage Assets

**Respondent:** Historic England (Alan Byrne, Historic Environment Planning Adviser) [1084]

**Summary:**

We welcome the inclusion of policies for the historic environment in the local plan at Policies P9 - P13 that, along with other policies, meet the obligation for preparing the positive strategy required by the NPPF. The key test of the soundness of the plan and the achievement of sustainable development as defined in the NPPF in respect of the elements that relate to the historic environment (paragraph 190), in our view, have been met.

**Full text:**

As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages of the planning process. This includes formulation of local development policy and plans, supplementary planning documents, area and site proposals, and the on-going review of policies and plans.

There are many issues and matters in the consultation document that are beyond the remit and concern of Historic England and our comments are, as required, limited to matters relating to the historic environment and heritage assets. In our previous comments (by online submissions dated 1 - 6 February 2019), Historic England focused on the objective of the National Planning Policy Framework to set out a positive strategy for the conservation, enjoyment and enhancement of the historic environment (now Paragraph 190, NPPF); and contain policies to deliver the conservation and enhancement of the historic environment (now Paragraph 190a, NPPF).

Our comments on the Regulation 18 stage draft Local Plan largely have been addressed in the current Publication version or are, in our view, not now likely to affect the soundness of the Local Plan.

We welcome the inclusion of policies for the historic environment in the local plan at Policies P9 - P13 that, along with other policies, meet the obligation for preparing the positive strategy required by the NPPF. The key test of the soundness of the plan and the achievement of sustainable development as defined in the NPPF in respect of the elements that relate to the historic environment (paragraph 190), in our view, have been met.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan 2021-2039 - <https://chichester.oc2.uk/a/spy>

## Support

**Document Element:** Policy P13 Registered Parks and Gardens

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), PS, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, P10, P11, P13, P14, P15 (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy P13 Registered Parks and Gardens

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Recognition of the importance of Goodwood House and Park is welcomed, but the value of the Estate to the District (and indeed the National Park) goes well beyond the designated parkland. The Estate is an inter-linked body, where individual elements rely on other parts, activities or events to be sustainable. The Estate is embarked on a long-term strategy to both restore original features and to introduce new, that will continue the evolution of one of the Nation's significant parklands.

**Full text:**

Recognition of the importance of Goodwood House and Park is welcomed, but the value of the Estate to the District (and indeed the National Park) goes well beyond the designated parkland. The Estate is an inter-linked body, where individual elements rely on other parts, activities or events to be sustainable. The Estate is embarked on a long-term strategy to both restore original features and to introduce new, that will continue the evolution of one of the Nation's significant parklands.

**Change suggested by respondent:**

This policy is welcomed but we request the supporting paragraphs are revised to reflect the principles set out in the accompanying letter.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Support Letter 10 1 23 - <https://chichester.oc2.uk/a/sq9>

## Support

**Document Element:** Policy P13 Registered Parks and Gardens

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The policy is welcomed.

**Full text:**

Recognition of the importance of Goodwood House and Park is welcomed, but the value of the Estate to the District (and indeed the National Park) goes well beyond the designated parkland. The Estate is an inter-linked body, where individual elements rely on other parts, activities or events to be sustainable. The Estate is embarked on a long-term strategy to both restore original features and to introduce new, that will continue the evolution of one of the Nation's significant parklands.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Support Letter 10 1 23 - <https://chichester.oc2.uk/a/sq9>

## Object

**Document Element:** Policy P13 Registered Parks and Gardens

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway welcome the fact that the policy is tailored to local circumstances but is concerned that the policy won't be regarded as positively prepared and consistent with the NPPF owing to criteria 4 requiring development to 'preserve the setting'.

**Full text:**

See attachment.

**Change suggested by respondent:**

Bellway recommend changing criteria 4 to 'preserve or enhance' which acknowledges that some existing features may detract from the setting.

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sq9>

**Document Element:** Policy P13 Registered Parks and Gardens

**Respondent:** Historic England (Alan Byrne, Historic Environment Planning Adviser) [1084]

**Summary:**

We welcome the inclusion of policies for the historic environment in the local plan at Policies P9 - P13 that, along with other policies, meet the obligation for preparing the positive strategy required by the NPPF. The key test of the soundness of the plan and the achievement of sustainable development as defined in the NPPF in respect of the elements that relate to the historic environment (paragraph 190), in our view, have been met.

**Full text:**

As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages of the planning process. This includes formulation of local development policy and plans, supplementary planning documents, area and site proposals, and the on-going review of policies and plans.

There are many issues and matters in the consultation document that are beyond the remit and concern of Historic England and our comments are, as required, limited to matters relating to the historic environment and heritage assets. In our previous comments (by online submissions dated 1 - 6 February 2019), Historic England focused on the objective of the National Planning Policy Framework to set out a positive strategy for the conservation, enjoyment and enhancement of the historic environment (now Paragraph 190, NPPF); and contain policies to deliver the conservation and enhancement of the historic environment (now Paragraph 190a, NPPF).

Our comments on the Regulation 18 stage draft Local Plan largely have been addressed in the current Publication version or are, in our view, not now likely to affect the soundness of the Local Plan.

We welcome the inclusion of policies for the historic environment in the local plan at Policies P9 - P13 that, along with other policies, meet the obligation for preparing the positive strategy required by the NPPF. The key test of the soundness of the plan and the achievement of sustainable development as defined in the NPPF in respect of the elements that relate to the historic environment (paragraph 190), in our view, have been met.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan 2021-2039 - <https://chichester.oc2.uk/a/spy>

**Document Element:** Local Green Space, 6.82

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this statement.

**Full text:**

WGPC supports this statement.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy.

**Full text:**

WGPC supports this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT supports the inclusion of a Green Infrastructure Policy and its recognition of the multifunctional benefits that Green Infrastructure can deliver when delivered strategically. This is consistent with section 175 of the NPPF 2021.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]

**Summary:**

Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRow and creation of new PRow where possible, to allow for a greater number of users to access the network would be beneficial.

**Full text:**

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

**Transport Overview**

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
  2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
  3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.
- The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

## Deliverability of Key Infrastructure

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

## Sustainable Transport Infrastructure & Measures

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes

that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

#### Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

#### 1) Education

##### Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments, ...'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

##### Policy A8 Land East of Chichester



As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

## 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

## 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

## 4) Highways and Transport

### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the

A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

#### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

## 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

### Attachments:

CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>

Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Support

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]

### Summary:

Support in principle. It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure.

### Full text:

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

#### Transport Overview

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.

The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

#### Deliverability of Key Infrastructure

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for

such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

#### Sustainable Transport Infrastructure & Measures

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

## Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

### 1) Education

#### Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments, ...'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

#### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

### 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

### 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

### 4) Highways and Transport

#### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

#### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

#### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

#### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyrotory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyrotory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

#### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

#### 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>  
Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Object

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

As per out comment for Policy P1, references to green infrastructure should be amended to green/blue infrastructure.

**Full text:**

As per out comment for Policy P1, references to green infrastructure should be amended to green/blue infrastructure.

**Change suggested by respondent:**

References to green infrastructure should be amended to green/blue infrastructure.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), PS, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, P10, P11, P13, P14, P15 (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Suggest proposals should support non-car trips.] As Policy P4, proposals should maximise opportunities to link with the wider network including the existing A27 pedestrian and cycle footbridges and active travel routes along/intersecting the A27 corridor and how new facilities will be funded, monitored, and maintained.

This is an important measure to reduce demand on the A27.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.



We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

## Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or

permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-Io.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-Io.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-

consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Written representation - <https://chichester.oc2.uk/a/t6d>

## Support

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

#### Summary:

The Woodland Trust supports this policy.

#### Full text:

The Woodland Trust supports this policy. We recommend strengthening it with reference to the emerging statutory requirements for Local Nature Recovery Strategies.

Amended text proposed:

1. The proposals maintain or, where appropriate, incorporate improvements to the existing network of green infrastructure, or the restoration, enhancement or creation of additional provision areas, and contribute delivery of the Local Nature Recovery Strategy;

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P14 Green Infrastructure

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Amended text proposed:

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Miller and Vistry are broadly supportive of this policy, having incorporated a range of measures within the west of Chichester development to enhance the Green Infrastructure Network.

**Full text:**

Miller and Vistry are broadly supportive of this policy, having incorporated a range of measures within the west of Chichester development to enhance the Green Infrastructure Network. It is considered, given all the criteria 1 – 7 'must' be followed, that some flexibility is provided for in the policy to take account of site-specific circumstances, for example, where new infrastructure to support development is required to cross an existing public right of way.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8y>

## Object

---

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

It is considered, given all the criteria 1 – 7 ‘must’ be followed, that some flexibility is provided for in the policy to take account of site-specific circumstances, for example, where new infrastructure to support development is required to cross an existing public right of way.

**Full text:**

Miller and Vistry are broadly supportive of this policy, having incorporated a range of measures within the west of Chichester development to enhance the Green Infrastructure Network. It is considered, given all the criteria 1 – 7 ‘must’ be followed, that some flexibility is provided for in the policy to take account of site-specific circumstances, for example, where new infrastructure to support development is required to cross an existing public right of way.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8y>

## Object

---

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

10,350 houses with the majority in the East/ West corridor will not improve access to green infrastructure as there will be less of it. The location of most of the housing will increase use of cars which will decrease air quality

**Full text:**

10,350 houses with the majority in the East/ West corridor will not improve access to green infrastructure as there will be less of it. The location of most of the housing will increase use of cars which will decrease air quality.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

While the principle of the policy is supported, R-RMC considers that the policy and/or supplementary text could acknowledge that some green infrastructure (including public rights of way) may need to be rerouted or re-provided to facilitate development to meet the area's needs. This flexibility is provided in site-specific policies but could also be reflected in this policy.

**Full text:**

Rolls-Royce Motor Cars (R-RMC) supports the principle of draft Policy P14 which sets out the green infrastructure requirements and expectations from new development. R-RMC recognises the positive impact that green infrastructure provides with respect to health and wellbeing, biodiversity, climate change resilience and other social, economic and environmental factors.

However, as part of this policy, proposals must demonstrate that a stringent list of criteria have been addressed, including but not limited to ensuring that proposals 'do not lead to the dissection of the linear network of cycle ways, public rights of way, bridleways and ecological corridors'.

While the principle of this position is understood and supported, R-RMC considers that the policy and/or supplementary text could acknowledge that some green infrastructure (including public rights of way) may need to be rerouted or re-provided to facilitate development to meet the area's needs. This flexibility is provided in certain site-specific policies (such as Goodwood expansion site policy A21) but could be reflected in this policy to apply to relevant sites, subject to appropriate consents and sensitive design considerations.

**Change suggested by respondent:**

The policy and/or supplementary text could acknowledge that some green infrastructure (including public rights of way) may need to be rerouted or re-provided to facilitate development to meet the area's needs. This flexibility is provided in certain site-specific policies (such as Goodwood expansion site policy A21) but could be reflected in this policy to apply to relevant sites, subject to appropriate consents and sensitive design considerations.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

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**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P14 Green Infrastructure

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

The wording 'and beyond the site boundaries' in Criterion 2 is sufficiently ambiguous to compromise its effectiveness. Could imply a requirement to meet needs beyond that required to satisfy the statutory tests in regulation 122 (as amended by the 2011 and 2019 Regulations) and policy tests in the National Planning Policy Framework.

**Full text:**

See attachment.

**Change suggested by respondent:**

Would recommend the following revision:

'...and meet the needs of the development.'

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/smp>



**Document Element:** Policy P14 Green Infrastructure

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England welcome the inclusion of a dedicated policy on Green Infrastructure (GI) which seeks to protect and enhance the GI network, recognising both the strategic significance of its provision and its multi-functional nature (NPPF paras 20c, 92c and 186). We welcome the expectation that development proposals have regard for the Natural England National Framework of Green Infrastructure Standards.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in it's recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Background, 6.83

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Goodwood Airfield and Motor Circuit offer a large open area close to Chichester City that is a valuable local recreation source. In line with Chapter 8 of the NPPF we request that the role of the circuit, airfield and the open space and recreation opportunities it offers is reflected in the local plan.

**Full text:**

Goodwood Airfield and Motor Circuit offer a large open area close to Chichester City that is a valuable local recreation source. In line with Chapter 8 of the NPPF we request that the role of the circuit, airfield and the open space and recreation opportunities it offers is reflected in the local plan.

Chapter 6 focusses on "traditional sport, recreation and open space provision," but other important recreation sources, equally important for place-making, health and well-being should also be acknowledged and provisioned through Chapter 6. Both aviation and motor activities are recognised as sport and recreation by Sport England and the large open areas used can, and do, offer opportunities to host a variety of non-aviation and motor community and sporting activities and access to open space and landscape, whether actual or perceived, free or controlled.

**Change suggested by respondent:**

In line with Chapter 8 of the NPPF we request that the role of the circuit, airfield and the open space and recreation opportunities it offers is reflected in the local plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 6.85

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Noting lifestyle changes since pandemic]. Local Plan evidence - Open space, sport facilities, recreation study and playing pitch strategy - June/July 2018

We note that these documents are from 2018 and have not been updated to address the changes in behaviours and increase in active transport participation during and since the COVID-19 global pandemic.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway

features, such as

Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.

- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

"Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan

## A27 improvements

- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

## Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

## National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

## Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

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At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired

alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Background, 6.94

**Respondent:** Mr Simon Davenport [7100]

**Summary:**

With the increasing city housing density which is to be welcomed, gardens as a healthy recreation are needed and the provision of allotments in particular needs to be increased possibly with the emphasis on smaller plots to start with more ancillary support building and possibility for social interaction- much as seen in northern Europe, where the resources can be enjoyed for other leisure hours apart from food production.

**Full text:**

With the increasing city housing density which is to be welcomed, gardens as a healthy recreation are needed and the provision of allotments in particular needs to be increased possibly with the emphasis on smaller plots to start with more ancillary support building and possibility for social interaction- much as seen in northern Europe, where the resources can be enjoyed for other leisure hours apart from food production.

**Change suggested by respondent:**

Increase the number of allotments and gardens in the community by removing the threshold of house numbers.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 6.94

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

The requirement for provision of allotments is clear under S.106 as outlined in Table 6.1. The amount is prescribed in Table 6.3 as 0.3 hectares per 1000 as a minimum. This would require over 1 hectare of new allotment space for Tangmere Hub.

The plan shows 46 plots (if you count the half plots).

The existing plots in Tangmere are situated behind the Tangmere Museum. There are an existing 42 plots.

These plots are to be re located to the site shown in the plan.

The planners can't count !

Not compliant with policy.

**Full text:**

The requirement for provision of allotments is clear under S.106 as outlined in Table 6.1. The amount is prescribed in Table 6.3 as 0.3 hectares per 1000 as a minimum. This would require over 1 hectare o& new allotment space for Tangmere Hub.

The plan shows 46 plots ( if you count the half plots).

The existing plots in Tangmere are situated behind the Tangmere Museum. There are an existing 42 plots.

These plots are to be re located to the site shown in the plan.

The planners can't count !

Not compliment with policy.

**Change suggested by respondent:**

You need to develop a new plan providing space for this amenity.

I would suggest you don't move the old allotment site and develop the new site as plan. This would fulfil the requirement.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

supporting document - allotments - <https://chichester.oc2.uk/a/sff>

## Support

**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT is encouraged to see the inclusion of bullet point 3 in this policy. We feel it recognises the role of open space, including that of space for sport and recreation, in terms of potential for ecological benefits. This is consistent with Paragraph: 001 Reference ID: 37-001-20140306

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy.

**Full text:**

WGPC supports this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** Mr Cliff Archer [8026]

**Summary:**

Support

**Full text:**

Support

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), PS, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, P10, P11, P13, P14, P15 (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>



## Support

**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

The Woodland Trust supports point 3 that there should be no adverse impact on biodiversity from development affecting open space.

**Full text:**

The Woodland Trust supports point 3 that there should be no adverse impact on biodiversity from development affecting open space.

We welcome the inclusion of natural greenspace in Table 6.3 – Minimum Open Space Quantity and Access Standards. However we note that the standard set (1ha within 600m) falls short of Natural England’s Accessible Natural Green Space Standard of accessible natural green space of 2ha within 300m, In addition, the Woodland Trust’s Woodland Access Standard recommends 2ha of accessible woodland within 500m.

We request that the policy is applied as a minimum, and that higher provision is made where feasible.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

We welcome the inclusion of natural greenspace in Table 6.3 – Minimum Open Space Quantity and Access Standards. However we note that the standard set (1ha within 600m) falls short of Natural England’s Accessible Natural Green Space Standard of accessible natural green space of 2ha within 300m, In addition, the Woodland Trust’s Woodland Access Standard recommends 2ha of accessible woodland within 500m.

**Full text:**

The Woodland Trust supports point 3 that there should be no adverse impact on biodiversity from development affecting open space.

We welcome the inclusion of natural greenspace in Table 6.3 – Minimum Open Space Quantity and Access Standards. However we note that the standard set (1ha within 600m) falls short of Natural England’s Accessible Natural Green Space Standard of accessible natural green space of 2ha within 300m, In addition, the Woodland Trust’s Woodland Access Standard recommends 2ha of accessible woodland within 500m.

We request that the policy is applied as a minimum, and that higher provision is made where feasible.

**Change suggested by respondent:**

We request that the policy is applied as a minimum, and that higher provision is made where feasible

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Miller and Vistry are broadly supportive of this policy, having committed to deliver significant levels of new public open space on site.

**Full text:**

Miller and Vistry are broadly supportive of this policy, having committed to deliver significant levels of new public open space on site. However, it is not clear from the policy what the expectations are in terms of which developments would be expected to provide indoor facilities. Given the complex nature and cost of providing indoor sports facilities, there should not be an expectation to provide such facilities unless they have formed part of the early masterplanning of the site. The West of Chichester development is masterplanned to provide space for indoor sport within the Community Building at the center of the site, along with suitable outdoor facilities.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8p>

## Object

**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

It is not clear from the policy what the expectations are in terms of which developments would be expected to provide indoor facilities. Given the complex nature and cost of providing indoor sports facilities, there should not be an expectation to provide such facilities unless they have formed part of the early masterplanning of the site.

**Full text:**

Miller and Vistry are broadly supportive of this policy, having committed to deliver significant levels of new public open space on site. However, it is not clear from the policy what the expectations are in terms of which developments would be expected to provide indoor facilities. Given the complex nature and cost of providing indoor sports facilities, there should not be an expectation to provide such facilities unless they have formed part of the early masterplanning of the site. The West of Chichester development is masterplanned to provide space for indoor sport within the Community Building at the center of the site, along with suitable outdoor facilities.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8p>

## Object

**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** Home Builders Federation (Mr Mark Behrendt, Local Plans Manager SE and E) [7316]

**Summary:**

Lack of clarity within supporting text and policy with regard to what is required in terms of indoor sports facilities. Table 6.4 does not provide any reference to development thresholds nor hectares per 1,000 population. The requirements appear to be general standards for all communities rather than relating to specific development. Unclear to a decision maker or applicant as to what is required in terms of built sport and recreation facilities. Provision of on-site built sport and recreation facilities will only be relevant in very few circumstances with improvements in provision largely being provided by the Council using the Community Infrastructure Levy or other financial contributions.

**Full text:**

See attachment.

**Change suggested by respondent:**

Recommend that reference to the provision of indoor facilities is removed from this policy. If onsite facilities are required, this should be agreed with the site promoter and set out in the site allocation.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

HBF rep Chichester LP march 2023 redacted - <https://chichester.oc2.uk/a/sg6>

## Support

**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Support in principle. Changes to plan in additional rep - 5500.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

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**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Support spirit of Policy P15. Bellway welcome opportunity to improve quality and accessibility of open space at the Police Fields. Bellway note that following the guidance in the preceding text c.0.168ha on on-site amenity and natural greenspace is likely to be required alongside an Equipped Play Space (children).

**Full text:**

See attachment.

**Change suggested by respondent:**

Existing open space is ill-defined in the final part of draft Policy P15. It is respectfully suggested that this might more appropriately reference open space and playing fields identified on the proposals map (adding this if necessary).

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

---

**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

Re; criterion 1 - no development threshold requirement listed in Table 6.1 for indoor facilities.

**Full text:**

See attachment.

**Change suggested by respondent:**

Suggest either table 6.1 is re-worked with the benefit of further evidence, to include thresholds for on-site indoor space, or deleted, and left to be expressed in individual site allocation policies.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/smp>

## Object

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**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Policy lacks clarity in terms of thresholds for provision of built facilities. Requirements set on generic basis with paragraph 6.85 referencing Open Space, Sport and Recreation Study (2018) as relevant evidence. Paragraph 6.96 refers to future area-based policies in the subsequent Allocations DPD and SPD. Evidence out-of-date. Policy will apply to all residential development and logically be dealt with through CIL for smaller development where on-site provision impractical. Lack of evidence supporting policy means request for contributions would fail CIL Reg 122 and Paragraph 57 of NPPF. Outdated generic policy approach alongside area based approach clearly inconsistent. No threshold for built facilities whilst policy requires provision. Unclear what is required in terms of built sport and recreation facilities.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/snj>

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

## Support

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**Document Element:** Policy P15 Open Space, Sport and Recreation

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England supports this policy which includes provision to improve the GI network and protect existing by ensuring no adverse impacts on biodiversity, heritage assets or the integrity of the GI network (NPPF para 179)

**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Planning for Health and Well-being, 6.102

**Respondent:** RADAR (. RADAR ACTION GROUP, Member) [7813]

**Summary:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently. Past performance undermines the Soundness of the Plan and possibly the Legality. The residents well-being has been affected by the CDC lack of action. What confidence will an Inspector have that this again be adhered to.

**Full text:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently. ( Address can be supplied, if requested but withheld for Legal reasons) Past performance undermines the Soundness of the Plan and possibly the Legality. The residents well-being has been affected by the CDC lack of action. What confidence will an Inspector have that this again be adhered to.

The Historic City should already be protected by the CDC but the Planning Department have not implemented or enforced policies with any effect or confidence nor taken account of the sensitivity of the area next to the Cathedral and Boarding School and has left the Conservation Area and Residents and RISK.

Listed buildings in residential areas should not be used for amplified music venues.

Residents well-being should be put foremost. The ineffectiveness of implementation of planning policy affects this.

**Change suggested by respondent:**

A clear distinction between the Residential areas of the City Centre. Zoning of Bar/Club night time economy should be sought for the protection of the Conservation Area and Residents.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Health Impact Assessments, 6.104

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

This comment relates to P16 but omitted from P16 response. Relates to points 3 and 4. WGPC supports the policy intent but this cannot be applied to Wisborough Green. This is, again, a Chichester centric policy; it ignores the exigencies and impracticability of creating a cycling network and pedestrian routes on/adjacent to overcrowded and busy minor roads. This fails to promote a healthy lifestyle or address the inadequacies of the lack of public transport. This is not practical for the north-east parishes

**Full text:**

This comment relates to P16 but omitted from P16 response. Relates to points 3 and 4. WGPC supports the policy intent but this cannot be applied to Wisborough Green. This is, again, a Chichester centric policy; it ignores the exigencies and impracticability of creating a cycling network and pedestrian routes on/adjacent to overcrowded and busy minor roads. This fails to promote a healthy lifestyle or address the inadequacies of the lack of public transport. This is not practical for the north-east parishes

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P16 Health and Well-being

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policies P2, P3 (not least point 4), P4 (not least point 2), PS, P6, P7 (though, having had an extension to our house that did project in front of the original building line, as have also my immediate neighbours, I would not want to preclude this possibility where it makes sense and is not deleterious to others), P9, P10, P11, P13, P14, P15 (the recent case of Lavant comes to mind), and P16 (not least point 3).

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy P16 Health and Well-being

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Cross reference to the Chichester Harbour Management Plan policy on Health and Wellbeing.

**Full text:**

Cross reference to the Chichester Harbour Management Plan policy on Health and Wellbeing.

**Change suggested by respondent:**

Cross reference to the Chichester Harbour Management Plan policy on Health and Wellbeing.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P16 Health and Well-being

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Supporting measures to reduce demand.] National Highways support proposals that are safe and connected to existing and future routes that are of the same standard of infrastructure, or better, to enable cycling and walking for local trips to reduce impacts on the A27. This is an important measure to reduce demand on the A27.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

Background



National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions

- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25),

and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Support

**Document Element:** Policy P16 Health and Well-being

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

#### Summary:

Vistry and Miller support the principle of this policy having allowed for land within the local center for a healthcare facility.

#### Full text:

Vistry and Miller support the principle of this policy having allowed for land within the local center for a healthcare facility. However, in relation to point 1, any requirements to provide land or contributions towards healthcare provision would need to be justified on a case by case basis by the appropriate healthcare body and, in the case of the provision of land, would need a willing occupier of the site. The policy wording should be updated to reflect this.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/shp>

## Object

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**Document Element:** Policy P16 Health and Well-being

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

In relation to point 1, any requirements to provide land or contributions towards healthcare provision would need to be justified on a case by case basis by the appropriate healthcare body and, in the case of the provision of land, would need a willing occupier of the site. The policy wording should be updated to reflect this.

**Full text:**

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**Change suggested by respondent:**

In relation to point 1, any requirements to provide land or contributions towards healthcare provision would need to be justified on a case by case basis by the appropriate healthcare body and, in the case of the provision of land, would need a willing occupier of the site. The policy wording should be updated to reflect this.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/shp>

## Support

---

**Document Element:** Policy P16 Health and Well-being

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Already built new development in rural NE parishes, neighbouring Billingshurst and WG has led to a shortfall or worsening of provision. The Infrastructure Development Plan is Chichester centric. How will the lack of provision in the northern parishes be addressed?

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Already built new development in rural NE parishes, neighbouring Billingshurst and WG has led to a shortfall or worsening of provision. The Infrastructure Development Plan is Chichester centric. How will the lack of provision in the northern parishes be addressed?

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Policy P16 Health and Well-being

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

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**Full text:**

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**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

---

**Document Element:** Policy P16 Health and Well-being

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

This comment relates to P16 but omitted from P16 response. Relates to points 3 and 4. WGPC supports the policy intent but this cannot be applied to Wisborough Green. This is, again, a Chichester centric policy; it ignores the exigencies and impracticability of creating a cycling network and pedestrian routes on/adjacent to overcrowded and busy minor roads. This fails to promote a healthy lifestyle or address the inadequacies of the lack of public transport. This is not practical for the north-east parishes

**Full text:**

This comment relates to P16 but omitted from P16 response. Relates to points 3 and 4. WGPC supports the policy intent but this cannot be applied to Wisborough Green. This is, again, a Chichester centric policy; it ignores the exigencies and impracticability of creating a cycling network and pedestrian routes on/adjacent to overcrowded and busy minor roads. This fails to promote a healthy lifestyle or address the inadequacies of the lack of public transport. This is not practical for the north-east parishes

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Policy P16 Health and Well-being

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

Summary: This comment relates to P16 but omitted from P16 response. Relates to points 3 and 4.

WGPC supports the policy intent but this cannot be applied to Wisborough Green.

This is, again, a Chichester centric policy; it ignores the exigencies and impracticability of creating a cycling network and pedestrian routes on/adjacent to overcrowded and busy minor roads.

This fails to promote a healthy lifestyle or address the inadequacies of the lack of public transport.

This is not practical for the north-east parishes

**Full text:**

This comment relates to P16 but omitted from P16 response. Relates to points 3 and 4.

WGPC supports the policy intent but this cannot be applied to Wisborough Green.

This is, again, a Chichester centric policy; it ignores the exigencies and impracticability of creating a cycling network and pedestrian routes on/adjacent to overcrowded and busy minor roads.

This fails to promote a healthy lifestyle or address the inadequacies of the lack of public transport.

This is not practical for the north-east parishes

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Policy P16 Health and Well-being

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Support Policy P16, note need for planning applications for 50 or more dwellings to be accompanied by a Health Impact Assessment. Unclear where this threshold has come from – no explanation in supporting text, feels a little arbitrary.

Some overlap, most notably in respect of allotments (under criteria 2) with preceding Policy P15, albeit this needn't detract from the fact that the policy has been positively prepared and is broadly consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

Respectfully suggest that higher threshold be applied contiguous with the standards established in earlier policies and tables (for instance the full range of on-site open space, sport and recreation facilities kicks in at 100 dwellings in table 6.2).

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Document Element:** Policy P16 Health and Well-being

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England supports this policy which includes promotion of multi-functional GI and active travel networks (NPPF para 92).

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>



## Support

**Document Element:** Policy P17 New and Existing Local and Community Facilities including Local Shops

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

If a community facility or local shop is included in the planning permission then it is essential that this is provided and does not revert to housing.

**Full text:**

If a community facility or local shop is included in the planning permission then it is essential that this is provided and does not revert to housing.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy P17 New and Existing Local and Community Facilities including Local Shops

**Respondent:** The Theatres Trust (Planning Policy Officer) [1009]

**Summary:**

We remain supportive of this policy and the strength it provides to ensuring valued facilities are retained, in line with paragraph 93 of the NPPF (2021). We also welcome the detail provided to support implementation through Appendix C.

**Full text:**

We remain supportive of this policy and the strength it provides to ensuring valued facilities are retained, in line with paragraph 93 of the NPPF (2021). We also welcome the detail provided to support implementation through Appendix C.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy P17 New and Existing Local and Community Facilities including Local Shops

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Issues to resolve.] We can't assume that only housing and employment sites generate trips. Every trip has an origin and a destination. Furthermore, trip attractors and diversions to key destinations need to be considered.

Community Facilities such as medical centres, social classes in community run facilities, community childcare venues e.g., creche/toddler groups and libraries are busy in the am and pm peak and the offpeak. Realistically people are typically unlikely to walk or cycle to a medical appointment or to a childcare group.

We seek further information on how the Council intends to assess how new or improved community facilities will demonstrate they have no adverse traffic generation effects.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex

County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

## Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will

simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

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However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department

for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Support

**Document Element:** Policy P17 New and Existing Local and Community Facilities including Local Shops

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

#### Summary:

WGPC supports the intent but this cannot be applied to Wisborough Green.

The policy qualifiers are not realistic about the challenges of a rural parish

#### Full text:

WGPC supports the intent but this cannot be applied to Wisborough Green.

The policy qualifiers are not realistic about the challenges of a rural parish

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy P17 New and Existing Local and Community Facilities including Local Shops

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports the intent but this cannot be applied to Wisborough Green.  
The policy qualifiers are not realistic about the challenges of a rural parish

**Full text:**

WGPC supports the intent but this cannot be applied to Wisborough Green.  
The policy qualifiers are not realistic about the challenges of a rural parish

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Background, 7.1

**Respondent:** David Ball [7141]

**Summary:**

The Proposed Strategic Site Allocation for Land South of Chichester is contrary to the wording under Chapter 7 Policy E2 which sets out the criteria for permitting development. Allocation of this site will lead to a material increase in noise, will materially adversely effect visual amenity to neighbouring residential properties, will generate unacceptable levels of traffic movements, adversely affect soil water adour and air pollution to neighbouring residential properties .

The plan fails to address other more suitable sites within the plan area and other options explored.

**Full text:**

The Proposed Strategic Site Alloacation for Land South of Chichester is contrary to the wording under Chapter 7 Policy E2 which sets out the criteria for permitting development. Allocation of this site will lead to a material increase in noise, will materially adversely effect visual amenity to neighbouring residential properties, will generate unacceptable levels of traffic movements, adversely affect soil water adour and air pollution to neighbouring residential properties .

The plan fails to address other more suitable sites within the plan area and other options explored.

**Change suggested by respondent:**

Remove the allocation of this site from the plan

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Document Element:** Background, 7.1

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The role of Goodwood Estate businesses in transcending many business sectors should be reflected through the Plan and suitable provision for its sustainability made through Plan policies.

Its value and role in the economic vitality of the District should be acknowledged and protected

**Full text:**

Goodwood does not sit easily within the Plan's definition (and therefore policy provision) of tourism and hospitality as set out in Chapter 7: Employment and Economy. It is a hybrid situation attracting elements of many sectors of the Employment and Economy Chapter, and we request this position is more visibly acknowledged and provided for through the Plan.

There are references within Chapter 10 (policies A9 and A16) but this is focussed on the Goodwood Airfield and Motor Circuit.

The majority of the Goodwood Estate is within the National Park rather than CDC and it is understandable policy should focus on the airfield and circuit. However, it is important the Plan acknowledges and makes provision for the inter-connection of the airfield and motor circuit with the rest of the Estate, and the significant benefits of a "combined Goodwood" to Chichester District and the region.

The Estate welcomes a continuing dialogue with the planning authority to ensure the local plan is an appropriate vehicle to support and enhance the Estate through future years.

Representations we make to earlier parts of the Plan illustrate the economic contribution made by the Estate to the District and this should be reflected in Chapter 7.

**Change suggested by respondent:**

The role of Goodwood Estate businesses in transcending many business sectors should be reflected through the Plan and suitable provision for its sustainability made through Plan policies.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

GOODWOOD Economics Proof 010721.pdf - <https://chichester.oc2.uk/a/s4v>

Goodwood Economic Impact Study Report - 11.02.2020.pdf - <https://chichester.oc2.uk/a/s4b>

## Object

**Document Element:** Background, 7.1

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

Conflict with policy NPPF Para 81: Fails to adequately achieve conditions in which businesses can invest, expand and adapt due to limitations of Policies E3, E4 and para 7.28 and 7.29.

**Full text:**

The Coast to Capital Local Economic Partnership (LEP) acknowledge the specific and important contribution of horticulture to the economy of CDC. In accordance with Savills representations in respect policy E4 and the supporting text, the council's approach to restraint of the draft LP on development that is functionally linked to the horticultural industry within or close to the designated HDAs will suppress the productivity and prosperity of the industry and thereby its significant contribution the wider local economy.

The 2020 HEDNA predicates future growth of the horticultural sector on past planning consents and developments, which does not fully account for the demand for functionally linked activities as CDC have not been granting consents for these.

The 2022 HEDNA [para 80] identifies that Chichester's industrial market is severely undersupplied. However the HEDNA does not adequately assess the scale of suppressed demand and make allowance for it in industrial allocations. Whilst the LP seeks to provide office, factory and warehouse space (110k to 117k sqm), the likely insufficient supply and competition in the market will mean that there is no certainty that this space would be available and/or sufficient to meet the immediate and future needs of the horticultural/food production industry, constraining overall growth in the sector.

Savills SREBR report (attached) identifies that the constraint on co-locating functionally-linked forms of development at Runcton HDA will have a negative impact on the strength, diversity of the CDC economy.

The restrictions of policies of E3 and E4 with regard to the range of uses permissible in the HDAs means that the opportunity to maximise carbon reductions by co-locating associated functions of the food chain is lost - refer to para 4.4.2 of Savills SREB report.

**Change suggested by respondent:**

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sbp>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sdy>



## Support

**Document Element:** Background, 7.1

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t99>

## Support

**Document Element:** Background, 7.2

**Respondent:** John Newman [8169]

**Summary:**

I think that this paragraph is very important.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

**Document Element:** Background, 7.2

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1billion pounds and employs more than 10,000 full time equivalent staff.

The workforce includes many high value jobs, such as: Growing & Technical Managers, Sales & Marketing Teams, IT, Engineering and Logistics specialists, HR, Accounts, Administration and Office Staff, as well as Team Leaders, Supervisors and Skilled Operational Staff.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t9v>

## Object

**Document Element:** Background, 7.4

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

Soundness test not fully met. The draft plan does not adequately allow for suppressed demand. Consequently, the option for HDA associated uses to locate on industrial land is restricted. However, our analysis concludes that most such uses are best located on the HDAs. Which requires a more flexible approach to functionally linked uses on the HDAs.

**Full text:**

Soundness test not fully met. The draft plan does not adequately allow for suppressed demand. Consequently, the option for HDA associated uses to locate on industrial land is restricted. However, our analysis concludes that most such uses are best located on the HDAs. Which requires a more flexible approach to functionally linked uses on the HDAs.

**Change suggested by respondent:**

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/scy>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sdn>

**Document Element:** Background, 7.5

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1billion pounds and employs more than 10,000 full time equivalent staff.

The workforce includes many high value jobs, such as: Growing & Technical Managers, Sales & Marketing Teams, IT, Engineering and Logistics specialists, HR, Accounts, Administration and Office Staff, as well as Team Leaders, Supervisors and Skilled Operational Staff.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t9b>

## Object

**Document Element:** Policy E1 Meeting Employment Land Needs

**Respondent:** Drayton Investments Limited [8111]

**Agent:** Drayton Investments Limited (Mr Ben Christian, Associate Town Planner) [8113]

**Summary:**

Plan unsound in respect of employment land provision:

- Existing permissions unlikely to be forthcoming.
- Allocations carried over not delivered since allocated in DPD Site Allocation 2019 or previous Local Plan 2015.
- Policy A20 - significant site constraints including A27 works.

Provision should be achieved through allocation of more, smaller, sites improving chances of delivery/meet immediate market demand (HEDNA [April 2022] and Flude Market Report [July 2022] - specific need for starter units highlighted). Land North of Drayton Waterside A259 Eastbound Merston Oving (22/02202/FUL) could meet demand for employment floorspace, provide starter units and not result in harmful impact to countryside which Policy A20 would create, due to scale.

**Full text:**

These representations are specifically centred around Chapter 7: Employment and Economy – 'Meeting Business and Employment Needs' with particular focus on Policy E1, Map 10.10 and reliance on Chapter 10 Policy A20 (Land to the South of Bognor Road).

These representations are made in the light of a live planning application (22/02202/FUL) for Land North Of Drayton Waterside. The proposed development consists of the erection of employment space [flexible Class B2 (general industry), B8 (storage / distribution), Trade Counter, E(d) (indoor sport / recreation) and Class E(g) (office, research and development, light industry) uses], with associated parking and landscaping. The employment space is provided over 33 units totalling 5,706 sq. m.

These representations will also look in detail at the Countryside policy and compare the proposed single new site (Land to the South of Bognor Road) with a site which is currently subject to a pending planning application (22/02202/FUL) for land which is geographically comparable with the proposed single site only without the implementation issues listed in the proposed Local Plan, as well as being deliverable, achievable and focused on the market requirements for smaller

units.

These representations bring into question the 'tests of soundness'. In particular, the question as to whether it is 'sound' on the basis of being 'positively prepared', 'justified' and 'effective' in respect to employment land provision.

These representations seek to highlight that Chapter 7 has not been positively prepared, in so far as it does not provide [1.] "a strategy which, as a minimum, seeks to meet the area's objectively assessed needs" see the details set out in the accompanying Flude Property Consultants Report together with the details set out below.

It is also considered that Chapter 7 is not justified as the employment strategy is [2.] is inappropriate as it relies on a single new site, with multiple issues some of which are in conflict with other parts of the local plan, plus the site does not appear to have been included in the previous Local Plan consultations.

Chapter 7 is also not justified with respect to its provisions do not [3.] take into account reasonable alternatives. And that the provision for a single site not previously seen in any Regulation 18 consultation, is not [4.] based on proportionate evidence.

With respect to whether Chapter 7 is effective is questionable in terms of soundness given that the proposed allocation highlights a number of issues with the site set out in more detail below.

It is considered on the basis of the other factors highlighted in these representations and the accompanying Flude Report that the proposed employment land provision is not 'Consistent with national policy' as the proposed provision does not enable the delivery of sustainable development. It is considered that the proposed plans are contrary to the NPPF paragraph 16a, 16b, 16c, 16d and paragraph 20a.

With respect of general employment allocations and provisions in Chichester there are a number of areas of concern raised below and in the accompanying Flude Property Consultants Report which looks in detail at the Chichester property market.

It is also relevant to note that the Flude Report (dated July 2022) not only assesses the supply and demand in the local market for employment land, it objectively assesses the most recent evidence set out by the Local Planning Authority within the April 2022 Chichester Housing and Economic Development Needs Assessment (HEDNA).

Both the HEDNA and Flude Report independently advise that there is a lack of suitable employment space supply in Chichester, particularly for starter units between 750 and 2000 sq. ft.

The Policy E1 table sets out a number of floorspace calculations. None of which are identified by their Use Class. Land West of Chichester

This site is a reallocation of the current Local Plan Policy 15. The new policy is Policy A6. The original allocation was adopted in 2015 and this therefore raises concerns in respect of deliverability of the proposed employment floorspace. Notwithstanding the concerns around deliverability, the uses identified in the 'submission local plan' Policy A6 states: "6 hectares of employment land (suitable for E(g)(i)/(ii) Business uses)" and therefore none of the suggested 22,000m<sup>2</sup> allocation equates to light industrial, general industrial or storage and distribution (i.e. it does not include E(g)(iii), B2 or B8) and therefore does not meet any need for industrial or storage and distribution.

#### Kingsham Road - DPD Allocation

This site the current DPD allocation (Policy CC5). The allocation was adopted in 2019 and this therefore raises concerns in respect of deliverability of the proposed employment floorspace.

Kingsham Road is a DPD allocation for 7,200m<sup>2</sup> is for office use, and therefore does not meet any need for industrial or storage and distribution.

#### Land South of Bognor Road

The Land South of Bognor Road, the single proposed new allocation, not previously set out in the previous Local Plan consultations is looked at in greater detail in the following section of these representations.

#### Planning Permissions to Date

Chichester Council Planning Policy team have kindly provided a copy of the employment planning permissions to date which make up the 53,655 figure within the employment floorspace Policy E1. From a review of these sites it is apparent that a large number are for specific end users (e.g. Rolls Royce) or for change of use and not for the open market which will not meet the employment floorspace demand locally, particularly for starter units for SME's.

#### Summary

In summary, Policy E1 is heavily reliant on adding up floor spaces which either may not occur or are not for an employment use which meets the needs for industrial use or storage and distribution use needs.

There are several fundamental issues with the proposed site allocation known as Land to South of Bognor Road (Policy A20), these include:

- The site is new to the Local Plan production process in respect of entering in at Regulation 19 and has therefore not been through any of the previous rounds of consultation.
- The he land is Grade 1 agricultural land which is (a) in active use, (b) forms part of wider farmland which is proposed to be separated from the farm buildings therefore potentially limiting the effectiveness of the remainder of the farmland, (c) it conflicts with other parts of the local plan which promote protection of the best agricultural land and food production. (details below)
- There are several site constraints to delivery to the allocation (details below).
- The Policy also seeks to provide plots for Gypsy and Travelling Showpeople the allocations do not require to be part of the same site however they have been placed under the same site policy which implies that the provision for both types of use are in short supply and that the way in which the Local Plan has been produced seeks to address the Gypsy and Traveller sites shortfall on the same allocation as part of the solitary site for employment.
- The size of the site in terms with respect to Natural England's Guide to assessing development proposals on agricultural land (2021).

The Land South of Bognor Road site is both grade 1 agricultural land (the best value) and in active food production. Development on this site would raise conflict with other Local Plan approaches and policies as follows.

The proposed Local Plan at Paragraph 4.8 states that: The council will seek to protect the best and most versatile agricultural land from large scale, inappropriate or unsustainable non-agricultural development proposals that are not in accordance with the Development Plan. For proposals not in accordance with the Development Plan, that will result in the loss or likely cumulative loss of 20 hectares or more of best and most versatile agricultural land, the council will consult with Natural England and have regard to "Natural England's Guide to assessing development proposals on agricultural land (2021)" and any subsequent guidance.

It is noteworthy to mention that the site is 19.5ha and, as with neighbouring land, is owned by West Sussex County Council (WSSCC). The outline of the site allocation is odd and appears to sever the remainder of the WSSCC land to the south from the WSSCC owned land. This both impacts the opportunity to farm the remaining land and raises the question of whether there is an approach to avoid Natural England's 20ha threshold and therefore is the current site area a salami slice of an extended future land promotion.

#### Land south of Bognor Road - Policy A20 – Site Constraints impacting Delivery

##### Flood Risk

Policy A20 supporting text paragraph 10.87 outlines that parts of the site are at risk of surface and ground water flooding which would need careful management.

##### Landscape Impact

The large scale of the site will create a landscape impact that could be considered harmful to the current landscape character and separation between the main conurbation of Chichester and the built form around the Bognor Road/Drayton Lane roundabout. This is further discussed in the Countryside policy assessment below.

##### Highways

To facilitate development of Policy A20 the supporting text paragraph 10.87 identifies the need for realignment of Vinnetrow Road and works to the Bognor Road roundabout as part of a package of A27 improvements. It is understood that Highways England have pulled funding for these improvements and that they are to be delivered through a tariff on strategic sites. Therefore, the delivery of this site is reliant on the delivery of other strategic sites and raises concerns around timescales and deliverability.

A planning application (22/02202/FUL) for the construction of business park with associated parking and landscaping is currently pending determination for land north of Drayton Waterside A259 Eastbound Merston Oving. The application is pending further highway research but is supported by no objections from all other consultees including support from the economic development officer and the Oving Parish Council.

The Economic Development Officer comment on the Planning Application is as follows:

'The application site sits directly adjacent to a current business site and will provide units of the size and use class type that are highly sought after in the district. B2 and B8 uses are especially sought after and the amount of available space in this area has dropped from 316,000 sqft in 2017 to 97,500 sqft n 2022 (Source: SHW Industrial Focus 2022) which is a drop of almost 70% in five years.'

Both the HEDNA (April 2022) and Flude Report (July 2022) independently advise that there is a lack of suitable employment space supply in Chichester, particularly for starter units between 750 and 2000 sqft. The proposed development at Drayton Waterside provides this type of employment space and given the current planning application status could provide this floorspace immediately.

In the Housing and Employment Land Availability Assessment (HELAA) 2021, Drayton Waterside and the proposed allocation, Land to the South of Bognor Road, are both considered 'developable' but it is noteworthy to mention that Drayton Waterside (HELAA ID HOV00011) is considered to be able to come forward sooner than the land South of Bognor Road (HELAA ID HNM0017a).

#### Development in the Countryside Policy (Policy NE10)

Following review of the Drayton Waterside site above a key consideration is its location within the countryside – draft

Local Plan Policy NE10. These representations do not directly object to this policy or its wording but some text is included to comment on how the Drayton Waterside site is better aligned with the countryside policy than the proposed land south of Bognor Road allocation (Policy A20).

The first consideration is paragraph 4.51 within the supporting text to Policy NE10 which outlines the role and value of the countryside and why it should be considered for protection subject to a planning balance. These points of consideration are as follows:

1. The countryside is important for food production.

- The land south of Bognor Road is currently farmed and is large enough to support food production. The land south of Bognor Road is also Grade 1 agricultural land.
- The Drayton Waterside site however is too small to support viable food production and is enclosed by uses which are not within agricultural use and as such could not form part of an adjacent agricultural use unlike the Policy A20 site.

2. Countryside is important for landscape character.

- Both sites are not located in either the South Downs National Park or Areas of Outstanding Natural Beauty which cover a large part of the Chichester district.
- The Drayton Waterside site sits adjacent to existing built form currently used for employment use and is partly a brownfield site. The site is also smaller than the Bognor Road South and whilst providing 5,706 sq m compared to the 28,000 sq m provided by the land south of Bognor Road, it should be the Council's priority to look for delivering employment on multiple smaller sites which combined have a lesser landscape impact than that of a single large site.

3. Countryside is important for recreation:

- This role for countryside in respect of both sites is not necessarily relevant but it is noteworthy to mention that the Drayton Waterside site is private land and therefore not open to the public.

4. Countryside is important for biodiversity.

- Whilst the policy requirement for the delivery of the land south of Bognor Road would include a biodiversity enhancement this is yet to be evidenced as no application has been submitted for this site.
- The Drayton Waterside site, by contrast, has a live planning application and a Biodiversity Net Gains Assessment has been undertaken, and demonstrates that proposed development would result in calculated net gain of +12.73% Habitat Units and net gain of +13.45% Hedgerow Units. The Drayton Waterside site therefore demonstrates a substantial increase in biodiversity.

5. Countryside is important for stopping an urbanizing impact.

- The large scale of the land south of Bognor Road would create a noticeable urbanizing impact and whilst it is closer to the main conurbation of Chichester it would remove the separation between the current built form around the roundabout with Drayton Lane and Bognor Road whereas the Drayton Waterside site would neatly fit in within that existing built form and not diminish the gap between Chichester and this existing built form.

The wording of Policy NE10 outlines that sustainable development in the countryside would be permitted if the following considerations were achieved:

- There are sustainable transport links.
- The scale and design is appropriate to the location and not harmful to the rural setting.
- The proposed development preserves and enhances key countryside landscape features and does not impact any designations (Areas of Outstanding Natural Beauty or the South Downs National Park).
- The proposed development relates to an existing group of buildings.
- The proposed development does not prejudice countryside operations e.g., farming.

The Drayton Waterside site is considered to align with the requirements in this policy by:

- having strong sustainable transport links along the Bognor Road, to Chichester, including cycle routes and bus stops.
- The proposed development is of a scale where it would not harm the rural setting due to its relationship with an existing building group and being a relatively small site particularly when compared to the land south of Bognor Road.
- The proposed development is not considered to impact any designations or key features within the current countryside make up in this location and would not impact the current farming operations in the locality.

#### SUMMARY

The Chichester Draft Local Plan is considered to be unsound in the respect of employment land provision as it is heavily reliant on the sites which have strong valid delivery concerns. This includes:

- Existing permissions that are not likely to be forthcoming.
- Allocations carried over from previous Local Plan documents which have not been delivered since they were allocated in the Development Plan Document Site Allocation in 2019 or worse the previous Local Plan in 2015.
- One new large strategic site allocation (Land South of Bognor Road – Policy A20) that has significant site constraints including works to the A27 where funding has recently been withdrawn by National Highways / Secretary of State for Transport.

Employment land provision should be achieved through the allocation of more, smaller, sites to improve the chances of delivery and to meet market demand which is immediate (as evidenced by the Housing and Economic Development Needs Assessment [April 2022] and the accompanying Flude Market Report [July 2022]).

The market demand set out by the Local Plan evidence base and the Flude Market Report highlights that, whilst there is an employment floorspace need generally, there is a specific need for starter units between 750 and 2000 sqft.

Application reference 22/02202/FUL for the Construction of Business Park with associated parking and landscaping at Land North Of Drayton Waterside A259 Eastbound Merston Oving is considered to be a perfect example of a site that could meet the current market demand for employment floorspace, providing starter units, and not result in a harmful impact to the countryside which Land to the South of Bognor Road (Policy allocation A20) would create due to the scale of the strategic allocation.

Drayton Investments Limited strongly implore Chichester Planning Policy team to reconsidered the proposed Local Plan employment floorspace provision and allocate more, smaller, sites which, such as Land North of Drayton Waterside, can achieve immediate delivery of employment market floorspace demand.

#### Change suggested by respondent:

Drayton Investments Limited strongly implore Chichester Planning Policy team to reconsider proposed Local Plan employment floorspace provision and allocate more, smaller, sites which, such as Land North of Drayton Waterside, can achieve immediate delivery of employment market floorspace demand.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/swp>

## Object

**Document Element:** Policy E1 Meeting Employment Land Needs

**Respondent:** Wates Developments (Mr Paul Thomas, Senior Land and Planning Manager) [7779]

#### Summary:

- The DTC process has not dealt adequately with employment issues
- Identified housing needs are not being met, leading to a suppression in the amount of employment floorspace being provided
- No mention of logistics sector
- Council is taking a pessimistic view on employment growth, should not rely on Covid affected data to dictate strategy for whole plan period. 2020 HEDNA figures to be preferred with 15% uplift so not reliant on SDNPA
- 2022 HEDNA identifies extreme undersupply due to low levels of delivery
- Additional sites should be allocated

#### Full text:

Introduction and Site Details

Established in 1897, the Wates Group is one of the leading privately-owned construction, residential development, and property services businesses in the UK.

Everything we do is guided by our purpose of working together to inspire better ways of creating the places, communities, and businesses of tomorrow. Now in its fourth generation of family ownership, the Wates Group is committed to the long-term sustainability of the built environment.

Wates is promoting land at Badgers Farm, Hunston for commercial development. The site itself is currently used for equestrian purposes and extends to approximately 9 acres and is located at the northern end of the village, with good links to the A27. A site location plan is enclosed within these representations [TO BE EMAILED SEPERATELY]

The site is located within close proximity to Chichester and is easily accessible by foot, bicycle and public transport. There are no constraints in bringing forward the site for development and Wates consider that the site should be allocated for commercial development in the Chichester Local Plan 2021-2039.

Duty to Co-operate

Whilst we note the Council have held ongoing discussions with key stakeholders and neighbouring Local Planning Authorities, it is noted that substantial reliance on demonstrating that the Duty to Cooperate (DTC) has been met appears reliant on several Statements of Common Ground (SOCGs) which are yet to be agreed and details are thin on the ground.

We do not wish to raise issues with the legal compliance with respect to the DTC, the lack of agreed outcomes as part of this process does cause issues with respect to the Local Plan (LP) being effective and positively prepared.

Employment is a key driver for the success of any Local Plan and yet, other than being part of a sub-Regional partnership, there is virtually no mention of this issue in the Council's DTC Statement. Where employment issues are mentioned, the meetings referred to with neighbouring authorities took place some time ago and these can't purport to reflect the most up to date position.

No doubt the Council will argue that SOCGs will be signed in due course (which will provide more detail) and will be before a Local Plan Inspector for their consideration. It is our view that, in order for the LP to be effective, this information

should be available at this Regulation 19 stage.

#### Positively Prepared

The LP cannot be said to be positively prepared because it will not meet the Council's identified housing needs. This has knock on implications for the consideration of the employment floorspace need over the plan period, because there is a direct relationship between the number of new homes being provided and associated growth scenarios which are being considered in relation to understanding future employment floorspace needs.

The LP is also reliant on the South Downs National Park Authority (SDNPA) agreeing to meet 15% of the Council's employment needs (paragraph 12.64 of HEDNA, April 2022). In our view, given the Statutory Duties the SDNPA are under, this is an entirely unrealistic assumption to make. There is no mention of this issue in relation to the DTC Statement the Council have produced, which suggests no formal agreement is in place between the two Authorities.

#### Justified

We consider that the Council is taking an unduly pessimistic approach to future employment growth and the associated economic benefits this can bring to the District. In particular, the Council seem heavily reliant on the April 2022 update to the HEDNA. The data associated with this document naturally takes into account the economic impacts of Covid.

In our view, reliance on this data is not appropriate, given it was clearly a unique event with significant global impacts. It should not be relied upon for a LP which looks forward for a substantial period of time, because it downplays the need for employment floorspace.

We consider it more appropriate for reliance to be placed upon the 2020 HEDNA, which identified a need for 25.6 hectares of employment land, rather than the 23 hectares identified in the 2022 HEDNA update.

It is noted that, in January 2019, the Council identified a need for 27.7ha of employment land (Background Paper: Economic Development and Employment).

In addition, 15% should be added to these figures discussed above to ensure the Council are not reliant on SDNPA to deliver their employment needs.

#### Effective

As discussed above, we do not believe that effective joint cross-boundary working has taken place.

The Local Plan, as it currently stands, will not be effective in delivering the employment needs of the District.

Given that the 2022 HEDNA update repeatedly identifies that there is an 'extreme undersupply' (paragraphs 80, 83, 10.67, 10.74), with paragraph 10.110 noting that this is due to both strong recent demand and low levels of delivery - delivering the employment needs for the District should be of paramount importance to the Council.

Furthermore, we do not believe that the employment sites identified in the LP will necessarily be deliverable; specifically, the proposed new allocation A20. The Council acknowledge that there are deliverability issues because the site is anticipated to come forward in the latter part of the LP period.

This because the northern end of the site will play a key role in delivering any improvements to the Strategic Road Network (SRN) which are needed in the future. It is not clear to what extent this site is reliant on any improvements in the SRN in order to come forward.

Upgrades to the SRN in and around Chichester have a long and troubled history, to the extent that previously a local consensus could not be achieved which resulted in a funding package on offer to help facilitate the necessary improvements being withdrawn.

It is our view that in the absence of the necessary certainty in this regard, site A20 should not be identified for development.

#### Compliance with National Policy

Both the LP and its associated evidence base are completely silent on the logistics industry, contrary to National Planning Guidance.

Paragraph 031 (Reference ID: 2a-031-20190722) of the Planning Practice Guidance (PPG) specifically identifies that "The logistics industry plays a critical role in enabling an efficient, sustainable and effective supply of goods for consumers and businesses, as well as contributing to local employment opportunities, and has distinct locational requirements that need to be considered in formulating planning policies (separately from those relating to general industrial land)."

The PPG expects active engagement with logistics developers and occupiers to understand their needs, alongside analysis of market signals and economic data. This should then inform the needs with respect to the logistics industry and LPAs should then go on to identify how this need can be met.



In April 2022 the ONS published a report entitled "The rise of the UK warehouse and the golden logistics triangle" which identifies that the number of premises used for B8 storage and distribution uses has almost doubled in the last decade, with this rise accelerating in the last two years due to Brexit and the COVID-19 pandemic.

The chart below [TO BE EMAILED SEPERATELY] shows "Transport and Storage" to be the fastest growing industry group (both recent and long term) nationally, with an 88% increase from 2011-2021 and a 21% increase from 2019-2021.

This is supported by the June 2022 report by Frontier Economics "The Impact of Logistics Sites in the UK" which highlights in Chapter 2 that logistics has been the fastest growing sector across the UK in terms of jobs since 2012 (Table 3 p.27).

The Council's reliance solely on employment projections fundamentally underestimates the performance of the logistics sector, and using those as the only base for determining land requirements, will always lead to a misunderstanding of sector needs and therefore land allocations that will not fully address needs.

#### Change suggested by respondent:

Wates considers that the LP, in its current form, is unsound because it is not; positively prepared, justified, effective or consistent with national policy.

In addition, we have concerns about the way in which the Council have approached the DTC, specifically with respect to employment land issues.

Wates request that the Council review their evidence base and ensure it is updated to deal specifically with the needs of the logistics sector.

The Council's own evidence base points to an extreme undersupply of industrial floorspace. Wates believes that the Council should be looking at employment land in a more positive and proactive way and that more employment land needs to be allocated in order to ensure the LP is sound and the associated economic benefits associated with this can be realised.

Land at Badger Farm should be allocated for commercial development as it is an unconstrained site with good links to the Strategic Road Network and which can be delivered in a short timescale, contrary to the majority of the sites the Council are currently relying on to meet their employment needs.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

#### Attachments:

ONS April 22 Transport + Storage table.jpg - <https://chichester.oc2.uk/a/svh>  
 Official Copy (Title Plan) - WSX219998.pdf - <https://chichester.oc2.uk/a/svm>  
 Badgers Farm Aerial.png - <https://chichester.oc2.uk/a/svn>

## Support

**Document Element:** Policy E1 Meeting Employment Land Needs

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

#### Summary:

Bellway note the contents of the above policies. Bellway welcome the prospect of delivering new housing to support economic development in a sustainable location.

#### Full text:

See attachment.

#### Change suggested by respondent:

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

#### Attachments:

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy E1 Meeting Employment Land Needs

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

We have no in principle comment on the continued allocation of employment space at the West of Chichester SDL but the policy and supporting text should recognize the ever-evolving nature of the employment market and provide sufficient flexibility within the policy to allow for alternative uses to come forward should marketing of employment space generate no viable market interest.

**Full text:**

We have no in principle comment on the continued allocation of employment space at the West of Chichester SDL but the policy and supporting text should recognize the ever-evolving nature of the employment market and provide sufficient flexibility within the policy to allow for alternative uses to come forward should marketing of employment space generate no viable market interest. The reference to 22,000m<sup>2</sup> of employment at West of Chichester should also be expressed ideally as a land area (6Ha to be consistent with the allocation policy A6) or otherwise be expressed as an approximate quantum as detailed design and marketing considerations may mean a different quantum of employment floor space can actually be delivered.

**Change suggested by respondent:**

The reference to 22,000m<sup>2</sup> of employment at West of Chichester should also be expressed ideally as a land area (6Ha to be consistent with the allocation policy A6) or otherwise be expressed as an approximate quantum as detailed design and marketing considerations may mean a different quantum of employment floor space can actually be delivered.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/shq>

## Object

**Document Element:** Policy E1 Meeting Employment Land Needs

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

Soundness test not fully met. There is insufficient industrial land allocated which in combination with a need for a more flexible approach to functionally linked uses on HDAs means there is not sufficient land for HDA functionally linked uses.

**Full text:**

The centrality of the horticultural industry to providing sustainable economic growth within the Chichester District and the wider south of England is not acknowledged within Policy E1. This is contrary to the Council's evidence base, with the 2020 HEDNA stating that the Local Plan will need to ensure that 'the District's horticultural industry remains nationally and internationally competitive' for the duration of the Local Plan period.

The lack of connectivity between the provision of employment land under Policy E1 and the needs of the horticulture industry for well-located land for functionally-linked employment purposes will have the effect of suppressing the ability of the horticulture industry to meet its potential.

**Change suggested by respondent:**

The importance of the horticultural industry should be recognised within policy E1 to inform the provision of land for functionally-linked employment uses in the right locations.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/scq>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sdm>

## Support

**Document Element:** Existing Employment Sites, 7.11

**Respondent:** Mr Robin Davison [7931]

**Summary:**

Selsey Town Council believes that there need to be land investment opportunities on the Manhood Peninsula for businesses to be established that are not from the agriculture or tourism sectors.

**Full text:**

Selsey Town Council believes that there need to be land investment opportunities on the Manhood Peninsula for businesses to be established that are not from the agriculture or tourism sectors.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Existing Employment Sites, 7.12

**Respondent:** Mrs Victoria Douglas [7725]

**Summary:**

Not fully consistent with NPPF, specifically paragraph 82(d) "Planning policies should be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation)"

**Full text:**

Not fully consistent with NPPF, specifically paragraph 82(d) "Planning policies should be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation)"

**Change suggested by respondent:**

Please ensure plan recognises need for flexibility to accommodate needs which may not have been expected, as per the NPPF para 82(d)

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Existing Employment Sites, 7.12

**Respondent:** John Newman [8169]

**Summary:**

I think that this paragraph is very important.

**Full text:**

See attachment.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

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## Object

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**Document Element:** Existing Employment Sites, 7.15

**Respondent:** Mrs Victoria Douglas [7725]

**Summary:**

General Permitted Developments Order (GPDO) Amendment March 2021 introduced the conversion of various commercial uses into dwellings without the need for express planning permission. Paragraph 7.15 considers potential "introduction of Article 4 Directions to restrict changes of use from employment to residential uses" which appears to contradict the GPDO

**Full text:**

General Permitted Developments Order (GPDO) Amendment March 2021 introduced the conversion of various commercial uses into dwellings without the need for express planning permission. Paragraph 7.15 considers potential "introduction of Article 4 Directions to restrict changes of use from employment to residential uses" which appears to contradict the GPDO

**Change suggested by respondent:**

Plan should respect existing, approved policy, and not seek to introduce restrictive work-arounds

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

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## Object

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**Document Element:** Existing Employment Sites, 7.17

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Fundamentally disagrees with supporting text cross-referencing with the Chichester Harbour Conservancy Management Plan, which is not a statutory Development Plan Document, and associated impact of increased scrutiny of marketing.

Considers supporting text should recognise the relevance of complementary uses which support to economic viability of marinas.

**Full text:**

Premier understands and supports the need to protect employment land for the wider viability and economic success of the district. Indeed the objectives of maintaining “a flexible supply of employment land and premises” and the retention of “suitable employment sites and encouraging their refurbishment, upgrading and intensification to meet modern business needs” are supported by Premier.

Premier would however stress the importance of recognising leisure and community uses in employment areas which is not currently acknowledged. Diversification for leisure uses is particularly relevant to waterside locations, as set out below in respect to Policy NE11, relating to suitable development at the Coastal area.

Supporting paragraph (7.17) states:

“Given the limited opportunities for employment uses with direct access to the coast, and reflecting the Chichester Harbour Conservancy Management Plan’s planning principles, particular scrutiny will be given to the marketing evidence for marine related employment sites with the aim of preserving these uses”.

The Chichester Harbour Conservancy Management Plan is not a statutory Development Plan Document, and nor is it considered to be a robust policy approach. Indeed, Premier made representations to a number of elements in this Plan through the consultation period (see appended to these representations). Fundamentally, this Plan should not be cross-referenced as it is not in compliance with national policy, and therefore is not a sound policy basis.

The definition of ‘marine-related employment sites’ could be interpreted so as to prevent the flexibility that is promoted by much of the supporting text to Policy E2 and which is required in a changing marine industry. Interpreted too narrowly, this paragraph will have the opposite effect to that intended. Lengthy marketing periods risk leaving a property empty and creating no employment when a change of use would create employment and further economic benefits.

Paragraph 7.17 should recognise the relevance of complimentary uses which support the economic viability of marinas. These include not only leisure and tourism and but also other uses to be able to “accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances” as per paragraph 81 of the NPPF.

Paragraph 83 of the NPPF requires that “Planning policies and decisions should recognise and address the specific locational requirements of different sectors”. Chichester Marina can also be argued to form part of the rural economy, and the NPPF (paragraph 84) supports “the development of and diversification of... land-based rural businesses... sustainable rural tourism and leisure developments which respect the character of the countryside”.

The policy supporting text wording for paragraph 7.17 should therefore be amended to “marine related and supporting and ancillary uses” in recognition of this, and in accordance with the NPPF, Policy NE11 and paragraph 7.17 of the Plan. Dealing with the Policy text, Premier considers that it is only appropriate for changes from employment to residential use to require demonstration that properties are no longer suitable for employment uses. Changes of use which retain or enhance employment should be encouraged as this will provide employment sites with the flexibility they require to respond to market changes and prevent loss of employment.

In the interest of diversifying employment uses and making the policy more effective in accordance with paragraph 35© of the NPPF, the policy should therefore be amended accordingly:

“Existing employment sites will be retained to safeguard their contribution to the local economy. Changes of use which retain or increase employment will be supported. Employment uses other than those in use classes E(g), B2 or B8 which require planning permission, will be permitted on existing employment sites provided they are of a similar character in terms of providing jobs, the skills they require and their contribution to long-term economic growth. Where the proposed alternative use is a main town centre use, the sequential test set out in national policy must be met.

Where planning permission is required for alternative non-employment uses on land or floorspace currently in or last used for employment generating uses, it must be demonstrated (in terms of the evidence requirements in Appendix C) that the site is no longer required and is unlikely to be re-used or redeveloped for employment uses to meet future demand”.

**Change suggested by respondent:**

The policy supporting text wording for paragraph 7.17 should therefore be amended to “marine related and supporting and ancillary uses” in recognition of this, and in accordance with the NPPF, Policy NE11 and paragraph 7.17 of the Plan.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted -  
<https://chichester.oc2.uk/a/sxh>

**Document Element:** Existing Employment Sites, 7.17

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle

**Full text:**

Premier understands and supports the need to protect employment land for the wider viability and economic success of the district. Indeed the objectives of maintaining “a flexible supply of employment land and premises” and the retention of “suitable employment sites and encouraging their refurbishment, upgrading and intensification to meet modern business needs” are supported by Premier.

Premier would however stress the importance of recognising leisure and community uses in employment areas which is not currently acknowledged. Diversification for leisure uses is particularly relevant to waterside locations, as set out below in respect to Policy NE11, relating to suitable development at the Coastal area.

Supporting paragraph (7.17) states:

“Given the limited opportunities for employment uses with direct access to the coast, and reflecting the Chichester Harbour Conservancy Management Plan’s planning principles, particular scrutiny will be given to the marketing evidence for marine related employment sites with the aim of preserving these uses”.

The Chichester Harbour Conservancy Management Plan is not a statutory Development Plan Document, and nor is it considered to be a robust policy approach. Indeed, Premier made representations to a number of elements in this Plan through the consultation period (see appended to these representations). Fundamentally, this Plan should not be cross-referenced as it is not in compliance with national policy, and therefore is not a sound policy basis.

The definition of ‘marine-related employment sites’ could be interpreted so as to prevent the flexibility that is promoted by much of the supporting text to Policy E2 and which is required in a changing marine industry. Interpreted too narrowly, this paragraph will have the opposite effect to that intended. Lengthy marketing periods risk leaving a property empty and creating no employment when a change of use would create employment and further economic benefits.

Paragraph 7.17 should recognise the relevance of complimentary uses which support the economic viability of marinas. These include not only leisure and tourism and but also other uses to be able to “accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances” as per paragraph 81 of the NPPF.

Paragraph 83 of the NPPF requires that “Planning policies and decisions should recognise and address the specific locational requirements of different sectors”. Chichester Marina can also be argued to form part of the rural economy, and the NPPF (paragraph 84) supports “the development of and diversification of... land-based rural businesses... sustainable rural tourism and leisure developments which respect the character of the countryside”.

The policy supporting text wording for paragraph 7.17 should therefore be amended to “marine related and supporting and ancillary uses” in recognition of this, and in accordance with the NPPF, Policy NE11 and paragraph 7.17 of the Plan. Dealing with the Policy text, Premier considers that it is only appropriate for changes from employment to residential use to require demonstration that properties are no longer suitable for employment uses. Changes of use which retain or enhance employment should be encouraged as this will provide employment sites with the flexibility they require to respond to market changes and prevent loss of employment.

In the interest of diversifying employment uses and making the policy more effective in accordance with paragraph 35© of the NPPF, the policy should therefore be amended accordingly:

“Existing employment sites will be retained to safeguard their contribution to the local economy. Changes of use which retain or increase employment will be supported. Employment uses other than those in use classes E(g), B2 or B8 which require planning permission, will be permitted on existing employment sites provided they are of a similar character in terms of providing jobs, the skills they require and their contribution to long-term economic growth. Where the proposed alternative use is a main town centre use, the sequential test set out in national policy must be met.

Where planning permission is required for alternative non-employment uses on land or floorspace currently in or last used for employment generating uses, it must be demonstrated (in terms of the evidence requirements in Appendix C) that the site is no longer required and is unlikely to be re-used or redeveloped for employment uses to meet future demand”.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted -  
<https://chichester.oc2.uk/a/sxh>

## Support

**Document Element:** New Employment Sites, 7.18

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The safeguarding of land for Rolls-Royce expansion is welcomed providing the resultant development offers an equally high standard of building and landscape design, site density and use, and without harm or adverse impact on surrounding land and land uses and the local road network.

**Full text:**

The safeguarding of land for Rolls-Royce expansion is welcomed providing the resultant development offers an equally high standard of building and landscape design, site density and use, and without harm or adverse impact on surrounding land and land uses and the local road network.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy E2 Employment Development

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

This policy does not appear to allow any commercial development outside the built up boundaries except on existing employment sites.

**Full text:**

This policy does not appear to allow any commercial development outside the built up boundaries except on existing employment sites.

**Change suggested by respondent:**

Amended the section on new employment sites so that it enables new sites to come forward within the rural area in appropriate circumstances - it is wholly unreasonable to have an embargo

There should also be an exception policy to allow existing rural sites to extend beyond their boundaries when an exception has been demonstrated - for example the recent expansion of Rolls Royce.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy E2 Employment Development

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policy E2. I would, though, add that at some point this plan needs to address the concern about city centre shops disappearing and the implications of this for the use of city centre businesses.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

**Document Element:** Policy E2 Employment Development

**Respondent:** John Newman [8169]

**Summary:**

Support in principle.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy E2 Employment Development

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking further information.] We seek further information on how the Council will assess and determine 'would not generate unacceptable levels of traffic movement' and how this will be monitored and managed if unacceptable levels of traffic are generated.

We seek further information on how the Council will monitor and manage the cumulative traffic generated from multi occupancy start-up and move-on businesses

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):



- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.

- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

Seek further information on how the council will monitor and manage cumulative traffic.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Support

**Document Element:** Policy E2 Employment Development

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of the above policies. Bellway welcome the prospect of delivering new housing to support economic development in a sustainable location.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy E2 Employment Development

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

Whilst Rolls-Royce Motor Cars (R-RMC) broadly supports the principle of Policy E2 as drafted, R-RMC objects regarding the justification and effectiveness of the requirement for new employment development to 'provide for an appropriate range of unit types and sizes to accommodate the needs of start-up and move on businesses within the plan area'. R-RMC considers that further clarity could be provided to highlight where this requirement will not apply.

**Full text:**

Whilst Rolls-Royce Motor Cars (R-RMC) broadly supports the principle of Policy E2 as drafted, R-RMC objects regarding the justification and effectiveness of the requirement for new employment development to 'provide for an appropriate range of unit types and sizes to accommodate the needs of start-up and move on businesses within the plan area'. While the draft policy states that this will only be sought 'where feasible', R-RMC considers that further clarity could be provided to highlight where this requirement will not apply. This could include employment development on bespoke sites where provision is for a single party and in connection with specific and bespoke employment activities.

**Change suggested by respondent:**

Further clarity could be provided to highlight where this requirement will not apply. This could include employment development on bespoke sites where provision is for a single party and in connection with specific and bespoke employment activities.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy E2 Employment Development

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

Support in principle

**Full text:**

Whilst Rolls-Royce Motor Cars (R-RMC) broadly supports the principle of Policy E2 as drafted, R-RMC objects regarding the justification and effectiveness of the requirement for new employment development to 'provide for an appropriate range of unit types and sizes to accommodate the needs of start-up and move on businesses within the plan area'. While the draft policy states that this will only be sought 'where feasible', R-RMC considers that further clarity could be provided to highlight where this requirement will not apply. This could include employment development on bespoke sites where provision is for a single party and in connection with specific and bespoke employment activities.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy E2 Employment Development

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

In the interest of diversifying employment uses and making the policy more effective in accordance with paragraph 35(c) of the NPPF, the policy should be amended.

Concern that narrow interpretation of policy could result in long marketing periods impacting employment prospects, when change of use could increase employment.

In the interests of diversifying employment uses, considers that policy to require demonstration that properties are no longer suitable only appropriate for changes from employment to residential use.

**Full text:**

Premier understands and supports the need to protect employment land for the wider viability and economic success of the district. Indeed the objectives of maintaining “a flexible supply of employment land and premises” and the retention of “suitable employment sites and encouraging their refurbishment, upgrading and intensification to meet modern business needs” are supported by Premier.

Premier would however stress the importance of recognising leisure and community uses in employment areas which is not currently acknowledged. Diversification for leisure uses is particularly relevant to waterside locations, as set out below in respect to Policy NE11, relating to suitable development at the Coastal area.

Supporting paragraph (7.17) states:

“Given the limited opportunities for employment uses with direct access to the coast, and reflecting the Chichester Harbour Conservancy Management Plan’s planning principles, particular scrutiny will be given to the marketing evidence for marine related employment sites with the aim of preserving these uses”.

The Chichester Harbour Conservancy Management Plan is not a statutory Development Plan Document, and nor is it considered to be a robust policy approach. Indeed, Premier made representations to a number of elements in this Plan through the consultation period (see appended to these representations). Fundamentally, this Plan should not be cross-referenced as it is not in compliance with national policy, and therefore is not a sound policy basis.

The definition of ‘marine-related employment sites’ could be interpreted so as to prevent the flexibility that is promoted by much of the supporting text to Policy E2 and which is required in a changing marine industry. Interpreted too narrowly, this paragraph will have the opposite effect to that intended. Lengthy marketing periods risk leaving a property empty and creating no employment when a change of use would create employment and further economic benefits.

Paragraph 7.17 should recognise the relevance of complimentary uses which support the economic viability of marinas. These include not only leisure and tourism and but also other uses to be able to “accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances” as per paragraph 81 of the NPPF.

Paragraph 83 of the NPPF requires that “Planning policies and decisions should recognise and address the specific locational requirements of different sectors”. Chichester Marina can also be argued to form part of the rural economy, and the NPPF (paragraph 84) supports “the development of and diversification of... land-based rural businesses... sustainable rural tourism and leisure developments which respect the character of the countryside”.

The policy supporting text wording for paragraph 7.17 should therefore be amended to “marine related and supporting and ancillary uses” in recognition of this, and in accordance with the NPPF, Policy NE11 and paragraph 7.17 of the Plan. Dealing with the Policy text, Premier considers that it is only appropriate for changes from employment to residential use to require demonstration that properties are no longer suitable for employment uses. Changes of use which retain or enhance employment should be encouraged as this will provide employment sites with the flexibility they require to respond to market changes and prevent loss of employment.

In the interest of diversifying employment uses and making the policy more effective in accordance with paragraph 35© of the NPPF, the policy should therefore be amended accordingly:

“Existing employment sites will be retained to safeguard their contribution to the local economy. Changes of use which retain or increase employment will be supported. Employment uses other than those in use classes E(g), B2 or B8 which require planning permission, will be permitted on existing employment sites provided they are of a similar character in terms of providing jobs, the skills they require and their contribution to long-term economic growth. Where the proposed alternative use is a main town centre use, the sequential test set out in national policy must be met.

Where planning permission is required for alternative non-employment uses on land or floorspace currently in or last used for employment generating uses, it must be demonstrated (in terms of the evidence requirements in Appendix C) that the site is no longer required and is unlikely to be re-used or redeveloped for employment uses to meet future demand”.

**Change suggested by respondent:**

In the interest of diversifying employment uses and making the policy more effective in accordance with paragraph 35© of the NPPF, the policy should therefore be amended accordingly:

“Existing employment sites will be retained to safeguard their contribution to the local economy. Changes of use which retain or increase employment will be supported. Employment uses other than those in use classes E(g), B2 or B8 which require planning permission, will be permitted on existing employment sites provided they are of a similar character in terms of providing jobs, the skills they require and their contribution to long-term economic growth. Where the proposed alternative use is a main town centre use, the sequential test set out in national policy must be met.

Where planning permission is required for alternative non-employment uses on land or floorspace currently in or last used for employment generating uses, it must be demonstrated (in terms of the evidence requirements in Appendix C) that the site is no longer required and is unlikely to be re-used or redeveloped for employment uses to meet future demand”

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted -  
<https://chichester.oc2.uk/a/sxh>

**Document Element:** Policy E2 Employment Development

**Respondent:** Premier Marinas Limited [7988]

**Agent:** CBRE Limited (Mr Andy Pearce, Senior Planner) [7980]

**Summary:**

Support in principle.

**Full text:**

Premier understands and supports the need to protect employment land for the wider viability and economic success of the district. Indeed the objectives of maintaining “a flexible supply of employment land and premises” and the retention of “suitable employment sites and encouraging their refurbishment, upgrading and intensification to meet modern business needs” are supported by Premier.

Premier would however stress the importance of recognising leisure and community uses in employment areas which is not currently acknowledged. Diversification for leisure uses is particularly relevant to waterside locations, as set out below in respect to Policy NE11, relating to suitable development at the Coastal area.

Supporting paragraph (7.17) states:

“Given the limited opportunities for employment uses with direct access to the coast, and reflecting the Chichester Harbour Conservancy Management Plan’s planning principles, particular scrutiny will be given to the marketing evidence for marine related employment sites with the aim of preserving these uses”.

The Chichester Harbour Conservancy Management Plan is not a statutory Development Plan Document, and nor is it considered to be a robust policy approach. Indeed, Premier made representations to a number of elements in this Plan through the consultation period (see appended to these representations). Fundamentally, this Plan should not be cross-referenced as it is not in compliance with national policy, and therefore is not a sound policy basis.

The definition of ‘marine-related employment sites’ could be interpreted so as to prevent the flexibility that is promoted by much of the supporting text to Policy E2 and which is required in a changing marine industry. Interpreted too narrowly, this paragraph will have the opposite effect to that intended. Lengthy marketing periods risk leaving a property empty and creating no employment when a change of use would create employment and further economic benefits.

Paragraph 7.17 should recognise the relevance of complimentary uses which support the economic viability of marinas. These include not only leisure and tourism and but also other uses to be able to “accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances” as per paragraph 81 of the NPPF.

Paragraph 83 of the NPPF requires that “Planning policies and decisions should recognise and address the specific locational requirements of different sectors”. Chichester Marina can also be argued to form part of the rural economy, and the NPPF (paragraph 84) supports “the development of and diversification of... land-based rural businesses... sustainable rural tourism and leisure developments which respect the character of the countryside”.

The policy supporting text wording for paragraph 7.17 should therefore be amended to “marine related and supporting and ancillary uses” in recognition of this, and in accordance with the NPPF, Policy NE11 and paragraph 7.17 of the Plan. Dealing with the Policy text, Premier considers that it is only appropriate for changes from employment to residential use to require demonstration that properties are no longer suitable for employment uses. Changes of use which retain or enhance employment should be encouraged as this will provide employment sites with the flexibility they require to respond to market changes and prevent loss of employment.

In the interest of diversifying employment uses and making the policy more effective in accordance with paragraph 35© of the NPPF, the policy should therefore be amended accordingly:

“Existing employment sites will be retained to safeguard their contribution to the local economy. Changes of use which retain or increase employment will be supported. Employment uses other than those in use classes E(g), B2 or B8 which require planning permission, will be permitted on existing employment sites provided they are of a similar character in terms of providing jobs, the skills they require and their contribution to long-term economic growth. Where the proposed alternative use is a main town centre use, the sequential test set out in national policy must be met.

Where planning permission is required for alternative non-employment uses on land or floorspace currently in or last used for employment generating uses, it must be demonstrated (in terms of the evidence requirements in Appendix C) that the site is no longer required and is unlikely to be re-used or redeveloped for employment uses to meet future demand”.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester\_Local\_Plan.2021-2039\_Representations\_Final 16.03.2023 redacted -  
<https://chichester.oc2.uk/a/sxh>

## Object

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**Document Element:** Policy E2 Employment Development

**Respondent:** Barratt David Wilson Homes [7523]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

Policy sets out support for new employment development and sets out criteria for expansion of existing employment sites and for new sites. Policy sets out that new provision will be allowed for in existing settlements but it is silent in relation to new build development outside of settlement boundary.

**Full text:**

See attachment.

**Change suggested by respondent:**

Reference made in policy wording for sequential test to be followed. However, should be explicit in saying that development outside settlement boundaries would be supported, subject to sequential test being completed and suitable scale and form responding to edge of settlement character.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/syq>

## Object

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**Document Element:** Background, 7.20

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

The proposed expansion of HDAs is welcome. However the council's current approach to restrictions on co-location of functionally linked businesses and activities within the food park/cluster is impacting on business competitiveness and efficiency.

**Full text:**

The horticultural policy has remained largely static since over many years and has failed to acknowledge changing working and production trends within the industry.

Whilst the Council's tradition of supporting the horticultural industry, to the extent that it has and proposes to do in the draft Local Plan, is welcomed, it should be acknowledged that the restrictive policies that have been in place to date have directly obstructed growth in the industry by constraining the ability of the HDAs to accommodate ancillary and functionally-linked land uses that are now essential to realise the growth potential of the food cluster.

The draft Local Plan currently fails to allow for the functionally linked and associated development required to support and maintain the competitiveness of a world-class horticultural cluster.

See Section 4 of the Savills SREBR for further detail.

**Change suggested by respondent:**

Modify paragraph to acknowledge that the development requirements of the horticultural industry have evolved over time and these need to be accommodated going forward.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sdr>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sdz>



## Object

**Document Element:** Background, 7.20

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1billion pounds and employs more than 10,000 full time equivalent staff.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t9c>

## Object

**Document Element:** Background, 7.21

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

Not sound because there is increased food security risk in the UK, and unmet demand for 20ha of horticultural land in Tangmere, which may be addressed through a reduction in housebuilding plans in Tangmere and an emphasis on horticulture. There may also be opportunities for viticulture but there is no reference in the local plan to this growing sector of the economy which occupies at least two similar sites to the land to the west of Tangmere.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergencV"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversitV"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat

- 9, P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
- 17, P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"
- 23, P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

#### Change suggested by respondent:

Amend the plan as follows:

7.21 The southern part of the plan area accommodates a horticultural industry which has taken advantage of the comparatively high light levels experienced in the area to become nationally and internationally competitive, The council has a long-standing track record in supporting this industry through the designation of four Horticultural Development Areas (HDAs) around Tangmere, Runcton, Sidlesham and Almodington and will publish a map of these areas. It will perform a new evaluation of the economic, social and environmental benefits of meeting the unmet demand for 20 ha horticultural land in Tangmere and will perform a consultation on the potential economic, environmental and social benefits of expanding production of English Sparkling Wine on the land to the west of Tangmere.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

Cover Letter - <https://chichester.oc2.uk/a/stj>

Para-1.17 - <https://chichester.oc2.uk/a/stk>

Para-1.25 - <https://chichester.oc2.uk/a/stz>

Para-2.54 - <https://chichester.oc2.uk/a/stm>

Para-3.14 - <https://chichester.oc2.uk/a/stn>

Para-4.16 - <https://chichester.oc2.uk/a/sty>

Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Support

**Document Element:** Background, 7.21

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

### Summary:

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

### Full text:

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

### Change suggested by respondent:

More flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

### Attachments:

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t9d>

## Object

**Document Element:** Background, 7.21

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

More flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t9d>

## Object

**Document Element:** Background, 7.23

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1billion pounds and employs more than 10,000 full time equivalent staff.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8 March 2023 redacted - <https://chichester.oc2.uk/a/t9w>

## Object

**Document Element:** Background, 7.24

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

### Summary:

The proposed allowance for increased horticulture related development outside the HDAs is welcome. However the council's current approach to restrictions on co-location of functionally linked businesses and activities within the HDAs is impacting on business competitiveness and efficiency. A more flexible approach could benefit horticulture outside the HDAs as well as in them.

### Full text:

The Council's recognition that existing horticultural HDAs will be insufficient to deliver the quantum of development expected during the local plan period is welcomed.

The implied requirement that land within the HDA should be used first (in advance of 'other' land) to accommodate all forms of new horticultural development, albeit with caveats, does lack a progressive planned approach to the delivery of the range of development and infrastructure necessary, in the right locations, to realise the potential of the industry.

The Council's approach to HDAs correctly acknowledges the hierarchy of HDAs with Runcton HDA a focus for large scale horticultural development. The terms of the policy imply that all of the allocated land in all four HDAs would need to have been saturated before development outside any one of the HDAs would be permissible. This would fail to acknowledge the specific locational needs of the operations and businesses occupying each of the HDAs and should be amended.

The requirement for development to demonstrate why it cannot be accommodated within the HDAs fails to take into consideration that the plan itself expects that approximately two-thirds of horticultural development across the Local Plan period will need to come forward outside of HDAs. Accordingly, the Council should plan positively for this growth by taking a sequential approach to horticultural development that includes provision for associated and functionally-linked development in the right way.

Associated and functionally linked development would include elements such as R&D, storage and distribution, linked office development and processing of the food produced in the area. This could generally be focused in the HDAs.

This in turn may require that the core "growing" elements of the Chichester Food Cluster are delivered in proximity to, but outside of, HDAs. It is notable however that horticultural greenhouses are a core feature of Chichester coastal plain and therefore development of this type is likely to be deliverable without undue landscape harm. Additionally, prioritising the siting of associated development within the HDAs will encourage benefits associated with agglomeration and colocation. Please see Savills SREBR for more details

### Change suggested by respondent:

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

### Attachments:

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sds>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sdk>

## Object

**Document Element:** Policy E3 Addressing Horticultural Needs

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

Having looked at the information presented in the consultation, this policy appears to propose an extension to the Runcton Horticultural Development Needs on top of the East of the City Wildlife Corridor. Neither Policy E3 addressing Horticultural Need, nor indeed Policy N4 Strategic Wildlife Corridors, seem to address how these two policies have the opportunity to interact positively for the benefit of biodiversity. We would suggest that this policy more clearly reflects that it overlays a Wildlife Corridor and as such must recognise the requirements of policy NE 4 Strategic Wildlife Corridors when proceeding.

**Full text:**

See attached representation.

**Change suggested by respondent:**

We would suggest that this policy more clearly reflects that it overlays a Wildlife Corridor and as such must recognise the requirements of policy NE 4 Strategic Wildlife Corridors when proceeding.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy E3 Addressing Horticultural Needs

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of the above policies. Bellway welcome the prospect of delivering new housing to support economic development in a sustainable location.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Support

**Document Element:** Policy E3 Addressing Horticultural Needs

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

**Summary:**

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period."

CE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU

**Full text:**

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

## Chapter 2: Vision & Strategic Objectives

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

## Chapter 3: Spatial Strategy and Settlement Hierarchy

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

### Policy S1 Spatial Development Strategy

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood. Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

### Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

## Chapter 4: Climate Change and the Natural Environment

### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

## Chapter 5: Housing

### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the



Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

#### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

#### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

#### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'. However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

### Chapter 6: Place-making

#### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

### Chapter 7: Employment and Economy

## Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that “approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period.” Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

## Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council’s proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE’s land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE’s control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

#### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

##### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from

Appendix C.

Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

**Change suggested by respondent:**

■ Consideration of CCE landholdings as listed.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>

D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>

East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>

Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>

Hunston Vision Document - <https://chichester.oc2.uk/a/t63>

Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Object

**Document Element:** Policy E3 Addressing Horticultural Needs

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

The proposed expansion of HDAs is welcome. However the council's current approach to restrictions on co-location of functionally linked businesses and activities within the food park/cluster is impacting on business competitiveness and efficiency.

**Full text:**

Policy E3 does not adequately take into consideration the need to deliver associated and functionally linked development to support the continued growth and competitiveness of the Chichester Food Cluster located at Runcton HDA.

The current HDA policy is identified by stakeholders in the 2018 HEDNA and the attached Savills SREBR Report as a barrier to growth due to the failure to support functionally associated uses. The importance of associated uses to the cluster is also acknowledged within The Council's evidence base and other key Government and Industry publications.

The plan should pursue a more positive and proactive wording of the HDA policy in order to allow for a greater breadth of associated uses within the Runcton HDA. The proposed wording of the policy does not provide sufficient certainty to investors and businesses (both established within Ructon HDA or looking to locate within it) that the Council will support the functionally associated uses that are necessary to foster and maintain the growth and competitiveness of a world-class food cluster.

The Local Plan therefore conflicts with paragraph 81 of the NPPF in its entirety which states:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation 42, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

**Change suggested by respondent:**

Reference to 'ancillary' in the first paragraph of the policy should be expanded/include explanatory text clarifying that functionally linked uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sdt>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sdj>

## Object

**Document Element:** Policy E3 Addressing Horticultural Needs

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

The RSPB is aware of plans to extend the southern boundary of Runcton Horticultural Development Area (HDA) by a total of approximately 30 hectares. A section of this extension will run across the entire width of the Pagham to Westhampnett SWC. The RSPB considers that this should be acknowledged within Policy E3 or E4 regarding Horticultural Needs and Development in order to align with Policy NE4 on SWCs.

**Full text:**

The RSPB is aware of plans to extend the southern boundary of Runcton Horticultural Development Area (HDA) by a total of approximately 30 hectares. A section of this extension will run across the entire width of the Pagham to Westhampnett SWC. The RSPB considers that this should be acknowledged within Policy E3 or E4 regarding Horticultural Needs and Development in order to align with Policy NE4 on SWCs.

**Change suggested by respondent:**

Acknowledge within Policy E3 or E4 regarding Horticultural Needs and Development in order to align with Policy NE4 on SWCs.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

RSPB-Response-to-Chichester-Local-Plan-Regs-19-17-03-23 - <https://chichester.oc2.uk/a/tss>

## Object

**Document Element:** Policy E3 Addressing Horticultural Needs

**Respondent:** Ms Lindsay Davey [7844]

**Summary:**

I do not find the Local Plan [sound] ref Policy E3 as the proposed housing development to the west of Tangmere is to be built on vital, multi-use horticultural land.

The Local Plan indicates that 67ha are deemed as required for the Tangmere and Runction area and so far only 47ha have been identified this leaving an unmet demand of 20ha.

At this time of concern for climate change, carbon footprint and national food security it is not sound to be developing valuable horticultural agricultural land for housing development.

**Full text:**

See representation

**Change suggested by respondent:**

I consider modification to the Local plan in regards to horticultural need versus housing development size and extent necessary. To review and reassess the plan so to make more horticultural land non-housing and look at alternative brownfield sites in the area.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Redacted paper submission - <https://chichester.oc2.uk/a/skz>

P6 Amenity - redacted - <https://chichester.oc2.uk/a/szh>

Representation Form 4 - redacted - <https://chichester.oc2.uk/a/smx>

Representation Form 5 - redacted - <https://chichester.oc2.uk/a/smj>

**Document Element:** Policy E3 Addressing Horticultural Needs

**Respondent:** West Sussex County Council [1416]

**Agent:** Henry Adams LLP (Zac Denton) [8131]

**Summary:**

Object to allocation of land at Tangmere Apron for horticultural development. Unsuitable for horticultural use due to land being hardstanding; proximity to dwellings; light spill from potential horticultural development; considered developable for employment/residential uses.

**Full text:**

This representation is made on behalf of our client, West Sussex County Council who wish to raise objection to the continued allocation of land within their ownership for horticultural development under Policy E3 of the draft Local Plan. The site is edged in red on the attached plan (dated 06-02-2014).

**Site**

The site is situated to the South of the main settlement of Tangmere and relates to an open area of brownfield land previously used as the apron for RAF Tangmere airfield. As a result of this previous use, the site comprises a large flat area of concrete. Most recently, the site has been rented out by our client to the NHS, who used it as a COVID testing centre.

The site borders residential development along its Northern boundary, which also provide a number of opportunities for access. Extensive areas of greenhouses are located to the East of the site, and the fields to the South of the site are in agricultural in use. The site has no planning constraints, other than being outside of the Settlement Policy Boundary and partly covered by the Horticultural Development Area (HDA).

**Policy E3 Assessment**

Policy E3 of the draft Local Plan sets out that there is a need to support the growth of horticultural industry within the plan area, which requires 204ha of additional land over the plan period. It sets out that large scale horticultural development will be focussed within the HDAs at Tangmere and Runcton.

We are of the view that the site is wholly unsuitable for horticultural use, as a result of it being hardstanding, but principally due to its proximity to residential properties and the only likely suitable use being for additional greenhouses. The significant light spill from such a use would harmful to neighbouring amenity and would not therefore be a suitable use of the land. When viewed within the Agricultural Land Classification maps, the site can be seen to be classified as 'Other land primarily in a non-agricultural use'.

The site was submitted within the most recent HELAA, and has been considered developable for employment uses, and potentially developable for residential uses. Should the housing requirement for Tangmere increase, we ask Chichester District Council to consider allocating Land at Tangmere Apron for housing, as in accordance with the NPPF, brownfield sites should be considered ahead of greenfield. At present, it represents an area of under-utilised brownfield land, which will not find functional purpose in agricultural / horticultural use due to its concrete top and proximity to residential properties. The site represents a greater opportunity for allocation in alternate uses. Part of the site is already outside of the HDA. The site adjoins the adopted settlement policy boundary to its North, and therefore it is clear it relates well to the existing settlement.

In visual terms, the site is unsightly, and untidy, which is incongruous in comparison to the residential uses directly adjacent to the Northern boundary of the site, and the open, undeveloped nature of the land to the South of the site. Potential development of the site provides opportunity to provide a softer transition between the hard settlement edge and open countryside, through a landscape led development at the site. This could significantly soften the edge of the settlement, where currently it is abrupt and stark when viewed from the south.

We therefore ask that Chichester District Council consider removing the Horticultural Development Area (HDA) designation currently affecting part of the site for the reasons set out above. The site adjoins the settlement policy boundary to the majority of its Northern boundary, and can be considered as an area of brownfield land. Therefore, in line with the NPPF, its development should be considered ahead of greenfield land. Further, the site is currently of a poor visual quality, and any development would provide the opportunity to enhance and soften the edge of the settlement.

**Change suggested by respondent:**

Consider allocating Land at Tangmere Apron for housing should housing requirement for Tangmere increase.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:**

Plan - <https://chichester.oc2.uk/a/smr>

Written representation - <https://chichester.oc2.uk/a/t68>

**Document Element:** Policy E3 Addressing Horticultural Needs

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Looking at the plan's interactive policies map there appears to be both a partial overlap between the existing Runcton Horticultural Development Area (HDA) and a significant overlap between this HDA's proposed extension and one of the strategic wildlife corridors set out under Policy NE4. We would advise that protection and enhancement of the wildlife corridor should take priority as if an inappropriate horticultural development was permitted within the Runcton HDA extension this could result in functional severance of the corridor.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

We note that this issue appears to be partially addressed by Requirement 9 of Policy E4 but believe that the supporting text to either E3 or E4 should specifically acknowledge this overlap and potentially provide a further steer to potential developers as to how the two plan designations will interact.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>



**Document Element:** Background, 7.26

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

■ We welcome the acknowledgement of related facilities.

**Full text:**

■ We welcome the acknowledgement of related facilities.

**Change suggested by respondent:**

■ -

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Background, 7.28

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

Fails to acknowledge critical need to accommodate functionally linked activities within the HDA. Plan is not positively prepared as it fails to take into account HEDNA evidence, government publications and other industry publications.

**Full text:**

The word 'ancillary' has proven, over the lifetime of the current adopted local plan, to be restrictive on the ability of the food production businesses at Runcton HDA to undertake beneficial development that would facilitate growth, competitiveness and market-responsiveness. The evolution of the sector, and the expectation of the onward consumer, is increasingly dependent upon co-location of the functions of food production.

The wording of paragraph 7.28 does not take into consideration the need to deliver associated and functionally linked development to support the continued growth and competitiveness of the Chichester Food Cluster located at Runcton HDA.

The current HDA policy is acknowledged within the 2018 HEDNA and the attached Savills SREBR Report as a barrier to growth due to the failure to support functionally associated uses. The importance of associated uses to the cluster is also acknowledged within the Council's evidence base and other key Government and Industry publications.

Accordingly the Plan should incorporate a more positive and proactive wording of the HDA policy in order to allow for a greater breadth of associated uses within the Runcton HDA. The proposed wording of the policy does not provide sufficient certainty to investors and businesses (both established within Ructon HDA or looking to locate within it) that the Council will support the functionally associated uses that are necessary to foster and maintain the growth and competitiveness of a world-class food cluster.

The Local Plan therefore conflicts with paragraph 81 of the NPPF in its entirety which states:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation 42, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

**Change suggested by respondent:**

Reference to 'ancillary' in the first paragraph of the policy should be replaced with 'functionally linked' and include explanatory text clarifying that functionally linked uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sd6>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sdx>

## Object

**Document Element:** Background, 7.28

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1billion pounds and employs more than 10,000 full time equivalent staff.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/t6v>

## Object

**Document Element:** Background, 7.29

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

LP restricts functionally linked activities to the detriment of the growth and prosperity of the sector.

Needs to be adapted to allow functionally linked uses to co-locate in the interests of efficiency, delivery and sustainability

**Full text:**

Para 11.66 of the 2018 HEDNA sets out the manner in which the document was informed by consultation with stakeholder. It says:

As part of our examination of the horticultural industry in Chichester we have approached most of the major employers seeking their views on the key drivers affecting the horticulture industry both nationally and locally and how these are expected to influence the future requirements of the industry within Chichester.

Para 11.78 of the 2018 HEDNA says:

Around half of the respondents believed that the industry would have grown at a much faster rate if it wasn't for the restrictive planning issues placed on them by local government. They believed this went against government policy which aims towards greater food security and reduced food miles. It also goes against the commercial demands of the industry driven by supermarkets who want more production of every type of food.

The current HDA policy is acknowledged as a barrier to growth due to the failure to support functionally associated uses including food processing and associated logistics etc. The importance of uses that are functionally linked to food production (a food cluster) is also acknowledged within The Council's evidence base (2020 HEDNA) and other key Government and Industry publications.

Accordingly, the Plan should pursue a more positive and proactive wording of the HDA policy in order to allow for a greater breadth of functionally-linked uses within the Runcton HDA. The proposed wording of the policy does not provide sufficient certainty to investors and businesses (both established within Runcton HDA or looking to locate within it) that The Council will support the functionally associated uses that are necessary to foster and maintain the growth and competitiveness of a world-class food cluster (refer to Savills SREBR).

The Local Plan therefore conflicts with paragraph 81 of the NPPF in its entirety which states:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation 42, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

Refer to Savills SREBR para 4.2.9 in which the need for flexibility and co-location of functionally related development is explained.

**Change suggested by respondent:**

Reference to 'ancillary' with regard to the HDAs in relevant policies and supporting text should be modified to 'functionally linked' and include explanatory text clarifying that 'functionally linked' uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sd7>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sdh>

**Document Element:** Background, 7.31

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

Is not positively prepared as it fails to take into account HEDNA evidence, government publications and other industry publications. The requirement for development to demonstrate why it cannot be accommodated within the HDAs fails to take into consideration that the plan itself expects that approximately two-thirds of horticultural development across the Local Plan period will need to come forward outside of HDAs. Accordingly, the Council should plan positively for this growth by taking a sequential approach to horticultural development that includes provision for associated and functionally-linked development in the right way.

**Full text:**

The Council's recognition that existing horticultural HDAs will be insufficient to deliver the quantum of development expected during the local plan period is welcomed.

The requirement that land within the HDA should be used first (in advance of 'other' land) to accommodate all forms of new horticultural development, albeit with caveats, does lack a progressive planned approach to the delivery of the range of development and infrastructure necessary, in the right locations, to realise the potential of the industry.

The Council's approach to HDAs correctly acknowledges the hierarchy of HDAs with Runcton HDA a focus for large scale horticultural development. The terms of the policy imply that all of the allocated land in all four HDAs would need to have been saturated before development outside any one of the HDAs would be permissible. This would fail to acknowledge the specific locational needs of the operations and businesses occupying each of the HDAs and should be amended.

The requirement for development to demonstrate why it cannot be accommodated within the HDAs fails to take into consideration that the plan itself expects that approximately two-thirds of horticultural development across the Local Plan period will need to come forward outside of HDAs. Accordingly, the Council should plan positively for this growth by taking a sequential approach to horticultural development that includes provision for associated and functionally-linked development in the right way.

Associated and functionally linked development would include elements such as R&D, storage and distribution, linked office development and processing of the food produced in the area.

Please see Savills SREBR for more details

**Change suggested by respondent:**

Amend text to qualify circumstances in which development is permissible outside the HDA.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sdf>

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sdg>

**Document Element:** Background, 7.31

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

The West Sussex Coastal Plain, with its exceptionally high winter light levels and all year round beneficial climate, is the preferred location for horticultural production in the UK.

The Horticultural Industry, concentrated around Chichester and Bognor Regis, generates annual turnover that exceeds £1billion pounds and employs more than 10,000 full time equivalent staff.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/t6b>

## Object

**Document Element:** Background, 7.32

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

### Summary:

The requirement that land within the HDA should be used first (in advance of 'other' land) to accommodate all forms of new horticultural development, albeit with caveats, does lack a progressive planned approach to the delivery of the range of development and infrastructure necessary, in the right locations, to realise the potential of the industry.

Plan is not positively prepared as it fails to take into account HEDNA evidence, government publications and other industry publications and plan effectively for the needs of the food production industry.

### Full text:

The Council's recognition that existing horticultural HDAs will be insufficient to deliver the quantum of development expected during the local plan period is welcomed.

The requirement that land within the HDA should be used first (in advance of 'other' land) to accommodate all forms of new horticultural development, albeit with caveats, does lack a progressive planned approach to the delivery of the range of development and infrastructure necessary, in the right locations, to realise the potential of the industry.

The Council's approach to HDAs correctly acknowledges the hierarchy of HDAs with Runcton HDA a focus for large scale horticultural development. The terms of the policy imply that all of the allocated land in all four HDAs would need to have been saturated before development outside any one of the HDAs would be permissible. This would fail to acknowledge the specific locational needs of the operations and businesses occupying each of the HDAs and should be amended.

The requirement for development to demonstrate why it cannot be accommodated within the HDAs fails to take into consideration that the plan itself expects that approximately two-thirds of horticultural development across the Local Plan period will need to come forward outside of HDAs. Accordingly, the Council should plan positively for this growth by taking a sequential approach to horticultural development that includes provision for associated and functionally-linked development in the right way.

Associated and functionally linked development would include elements such as R&D, storage and distribution, linked office development and processing of the food produced in the area.

Please see Savills SREBR for more details

### Change suggested by respondent:

Amend text to qualify circumstances in which development is permissible outside the HDA.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

### Attachments:

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/sw4>

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/sw5>

## Support

**Document Element:** Background, 7.33

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

More flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/t6c>

## Object

**Document Element:** Background, 7.33

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

More flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/t6c>



**Document Element:** Policy E4 Horticultural Development

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are pleased to see specific reference to the need to demonstrate adequate water resources are available and/or water efficiency measures (criteria 6).

**Full text:**

We are pleased to see specific reference to the need to demonstrate adequate water resources are available and/or water efficiency measures (criteria 6).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy E4 Horticultural Development

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

Policy obstructs essential co-location of functionally linked development within HDAs that will perpetuate obstruction to growth of the industry.

Policy implies that all of the allocated land in all four HDAs would need to have been saturated before development outside any one of the HDAs would be permissible. This would fail to acknowledge the specific locational needs of the operations and businesses occupying each of the HDAs and should be amended.

Criterion 5 conflicts with purpose of HDAs at Runcton and Tangmere to accommodate and consolidate development at scale.

**Full text:**

The Council's recognition that existing horticultural HDA's will be insufficient to deliver the quantum of development expected during the local plan period is welcomed and supported by evidence in the 2020 HEDNA and the attached Savills SREBR

However, the restrictive nature of the existing HDA policy is identified by stakeholders within the 2018 HEDNA (para 11.78) as having been a barrier to growth, whilst the importance of associated uses to the cluster is also acknowledged within The Council's evidence base and other key Government and Industry publications. Landlink and Kingsbridge have identified in earlier representations that the restrictive terms of the current HDA policy have obstructed their ability to develop the function and productivity of the Food Park.

The Local Plan therefore conflicts with paragraph 81 of the NPPF in its entirety which states:

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation 42 , and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

Key failings of the soundness of the draft policy are:

A: The limitation that development should be new horticultural and ancillary development, which is defined at paragraph 7.29 of the draft plan, will perpetuate the obstruction to the realisation of growth which has occurred in recent years as a result of the restriction of uses within the HDA by the terms of the policy. The evidence base demonstrates a clear requirement for and clear economic benefits of co-location of food production, food processing and associated technology and logistics businesses to be able to fulfil market expectation, contemporary food business requirements, and to realise the effective resilience of food supply in the UK.

The evidence base for growth demand for non-horticultural business space relies upon visible past development from the approval and implementation of planning permissions. It fails to acknowledge the demands for business space that

have not been realised specifically because they are obstructed by the adopted planning policy.

The main operators and businesses at Runcton HDA have been clear in representations over a number of years that the performance of the horticulture industry locally is constrained by the inability to modernise and co-locate functionally linked businesses and land uses at HDAs or in close proximity.

The effect of constraining the delivery of the business space needed to support the food and horticulture industry diminishes the viability and competitiveness of the industry on a national and international stage. The Savills SREBR identifies comparable evidence of the make up and productivity of a food cluster in the East of England (Lincolnshire) where the benefits of co-location are being realised.

The adoption of a policy which continues to obstruct the realisation of a modernised food cluster in CDC for the life of the emerging plan would severely damage the prospects and productivity of the food industry in the District.

B: The requirement that land within the HDA should be used first (in advance of 'other' land') to accommodate all forms of new horticultural development, albeit with caveats, does lack a progressive planned approach to the delivery of the range of development and infrastructure necessary, in the right locations, to realise the potential of the industry.

The Council's approach to HDAs correctly acknowledges the hierarchy of HDAs with Runcton HDA a focus for large scale horticultural development. The terms of the policy imply that all of the allocated land in all four HDAs would need to have been saturated before development outside any one of the HDAs would be permissible. This would fail to acknowledge the specific locational needs of the operations and businesses occupying each of the HDAs and should be amended.

C: The requirement for development to demonstrate why it cannot be accommodated within the HDAs fails to take into consideration that the plan itself expects that approximately two-thirds of horticultural development across the Local Plan period will need to come forward outside of HDAs. Accordingly, the Council should plan positively for this growth by taking a sequential approach to horticultural development that includes provision for associated and functionally-linked development in the right way.

Associated and functionally linked development would include elements such as R&D, storage and distribution, linked office development and processing of the food produced in the area.

D: Criterion 5 seeks to preserve the rural character of the surrounding areas. However, the purpose of the HDAs designations at Runcton and Tangmere is specifically to accommodate and consolidate development at scale.

Developments previously granted consent at Runcton HDA have already created a general urbanised character. It is suggested that the Runcton HDA should therefore be the focus for associated horticultural development – a horticultural/food cluster or hub. By consolidating development in this form, the aim of preserving the amenity of the surrounding countryside may be better realised. This in turn may require that the core "growing" elements of the Runcton HDA are delivered in proximity to, but outside of, the HDA, and the land within the HDA focussing on the more intensive features of food production and functionally linked activity. Evidence shows that prioritising the siting of functionally-linked development within The Runcton HDA will encourage benefits associated with agglomeration and colocation. Please see attached Savills SREBR for more details.

Horticultural greenhouses are a core feature of Chichester coastal plain and therefore development of this type is likely to be deliverable without undue landscape harm.

#### **Change suggested by respondent:**

A: Reference to 'ancillary' should be expanded/include explanatory text clarifying that functionally linked uses can include a range of activities including: food-related distribution; food manufacturing linked to the HDAs food preparation; on-site renewable energy to serve on-site activities; and R&D.

B and C: Adjust the terms of the policy so that rational and effective location of horticultural and ancillary development outside the HDAs is not obstructed if alternative space remains within any of the designated HDA.

D: Modify the terms of criterion 5 to acknowledge that making most effective use of the designated HDAs for their intended purpose may have some landscape impacts, which should be accommodated here in order to protect the character of the wider undesignated landscape.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

#### **Attachments:**

Savills Sector Review Economic Benefits Report SREBR.pdf - <https://chichester.oc2.uk/a/swh>

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/swx>

**Document Element:** Policy E4 Horticultural Development

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Supporting collaborative working.] National Highways welcomes the opportunity to work with you on large, and smaller scale, horticultural developments particularly heavy goods vehicles access onto the A27 and accommodating vehicle movements on the SRN without detriment to highway safety.

The Future of Freight Plan sets out that a joined-up approach between the planning system, local authorities and industry can safeguard and prioritise the land needed for freight and logistics sector uses and their specific requirements.

Impacts arising from such developments and the funding of transport infrastructure modifications should be fully assessed at the planning application stage.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring

economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and

the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Support

**Document Element:** Policy E4 Horticultural Development

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of the above policies. Bellway welcome the prospect of delivering new housing to support economic development in a sustainable location.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sq>

## Support

**Document Element:** Policy E4 Horticultural Development

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

**Summary:**

This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these [listed CCE] sites could help meet the district's horticultural needs in the future.

**Full text:**

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

#### Chapter 2: Vision & Strategic Objectives

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

#### Chapter 3: Spatial Strategy and Settlement Hierarchy

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

#### Policy S1 Spatial Development Strategy

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood. Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

#### Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

#### Chapter 4: Climate Change and the Natural Environment

##### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

##### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it



from becoming out of date and would also ensure that the policy remains effective once adopted.

#### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

#### Chapter 5: Housing

##### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

##### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

##### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

##### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'. However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

#### Chapter 6: Place-making

##### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

#### Chapter 7: Employment and Economy

##### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period." Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

#### Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council's proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE's land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

##### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north

and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

#### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

#### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

#### Change suggested by respondent:

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>

D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>

East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>

Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>

Hunston Vision Document - <https://chichester.oc2.uk/a/t63>

Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Support

**Document Element:** Policy E4 Horticultural Development

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

**Summary:**

The RSPB supports the inclusion of criteria 8-10 for HDAs due to the proximity of Pagham Harbour SPA to Sidlesham and Highleigh, and Almodington HDAs. It is critical that any proposed development for horticultural purposes successfully avoids and/or mitigates potential impacts on PHSPA, including recreational disturbance impacts and the potential for loss of functionally linked habitat to Pagham Harbour SPA.

**Full text:**

The RSPB supports the inclusion of criteria 8-10 for HDAs due to the proximity of Pagham Harbour SPA to Sidlesham and Highleigh, and Almodington HDAs. It is critical that any proposed development for horticultural purposes successfully avoids and/or mitigates potential impacts on PHSPA, including recreational disturbance impacts and the potential for loss of functionally linked habitat to Pagham Harbour SPA.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy E4 Horticultural Development

**Respondent:** West Sussex Growers' Association (Mr John Hall, Executive Member & Consultant) [7857]

**Summary:**

The policy should be more flexible to meet the needs of the horticultural sector. Over the coming years, more provision of space for nurseries, high-tech glasshouses, packhouses and reservoirs will be required; however, there will also be an increased need for ancillary development, such as: Vertical Farming Projects, Research & Development Facilities, Alternative Energy Centres, Logistics and Distribution Centres, Engineering and Technical Support Facilities.

**Full text:**

The Government has tasked Growers to grow more home grown produce, increase productivity, reduce food miles and the UK's reliance on imported food. There is also an increasing need for space to grow plants, shrubs and trees. These aims can be achieved; however, the Horticultural and Food Industries need Local Planning Policies to be in place that enables sustainable development. To this end, more flexibility is needed in the current CDC Local Plan - Horticultural Policy to meet the needs of the Horticultural sector.

**Change suggested by respondent:**

Make the policy more flexible.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

WSGA - CDC - Local Plan - HDAs - 8th March 2023 redacted - <https://chichester.oc2.uk/a/t67>

**Document Element:** Policy E4 Horticultural Development

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England welcomes the policy criteria which are applied to development proposals, including considerations of opportunities to enhance GI and biodiversity connectivity as well as ensuring protection of natural resources and the avoidance and mitigation of impacts on European and other protected sites and landscapes.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy E4 Horticultural Development

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

We advise that for large scale proposals within the HDAs that a Landscape and Visual Impact Assessment is required in order to assess the likely significant effects on landscape character and visual receptors, with regards to its location within the setting of the South Downs National Park.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

Advise LVIA required for large scale proposals within the HDAs

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy E5 Retail Strategy and New Development

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking further information on approach and monitoring.] National Highways support retail development and expansion within the existing areas and re-occupation of vacant floorspace. This support NPPF (para 86) stating that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management, and adaptation.

We seek further information on how servicing and customer traffic will be safely and conveniently accommodated by the surrounding road network will be monitored and if not safely and conveniently accommodated how the impacts will be managed and mitigated especially traffic generated in peak periods, for example weekends and Christmas.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or



with the support of the highway authorities?

c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?

d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met

over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the ‘Strategic road network and the delivery of sustainable development’ (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being

considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy E5 Retail Strategy and New Development

**Respondent:** Brookhouse Group [1680]

**Agent:** Savills UK (Mr Matthew Sobic) [100]

**Summary:**

This consultation statement is submitted by Brookhouse Group Limited and provides a formal consultation response to the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 consultation. It follows earlier representations submitted in relation to the emerging Local Plan in relation to a site known as land at Barnfield Drive shown on at Drawing Reference 7054-P701-A – ‘Site Development Plan’.

The site is allocated in the adopted Chichester Local Plan: Key Policies 2014 – 2029 (July 2015) (the ‘Local Plan: Key Policies’) for retail and business land uses. It is also designated for those uses in the adopted Sites in Chichester City North Development Brief (January 2012).

The land is owned by the Council, who have a development agreement with Brookhouse Group Limited to deliver development on the site.

However, as part of the emerging Local Plan, the Local Planning Authority intends to deallocate the site from its existing allocation for retail and business uses. No justification has been provided for the deallocation of the site, although discussions with the Planning Policy team has confirmed that it envisages that there will be a development that takes place on the site.

Given that long-standing position by the Local Planning Authority to support retail development on the site, there has therefore been no justification provided to remove the site allocation for the site and place a barrier to the delivery of the development of the final phase of development, which has had long-standing support from the Local Planning Authority. The Local Planning Authority is aware that the applicant will shortly be progressing a planning application for retail development at the site, consistent with the site’s existing allocation for retail purposes.

The Council has prepared an evidence base to support the Local Plan that indicates that in the City, there will be a comparison goods and convenience goods need of 6,100 sq. m (gross) by 2039; which is the end of the emerging Local Plan period. Emerging Policy E5 indicates that that need will be met through the reoccupation of existing floorspace, but doesn’t provide any evidence as to how that would be the case and whether that floorspace is even appropriate to meet modern retail use needs.

**Full text:**

This consultation statement is submitted by Brookhouse Group Limited and provides a formal consultation response to the Chichester Local Plan 2021 – 2039 Proposed Submission Regulation 19 consultation. It follows earlier representations submitted in relation to the emerging Local Plan in relation to a site known as land at Barnfield Drive shown on at Drawing Reference 7054-P701-A – ‘Site Development Plan’ appended to this e-mail (the ‘site’).

The site is allocated in the adopted Chichester Local Plan: Key Policies 2014 – 2029 (July 2015) (the ‘Local Plan: Key Policies’) for retail and business land uses. It is also designated for those uses in the adopted Sites in Chichester City North Development Brief (January 2012).

A summary of the site characteristics are provided as follows:

1. Located within the settlement boundary and urban area of Chichester, surrounded on all sides by existing development.
2. Previously developed or ‘brownfield’ land. The site was formerly a gravel extraction operation and has subsequently been landfilled.
3. Free from the presence of environmental, historic or infrastructural constraints.
4. Sustainably located, intimately situated within existing communities, adjacent to allocated growth areas, and well served by a variety of modes of transport, including public transport and cycle routes.
5. Allocated for development in the adopted Local Plan: Key Policies, by virtue of the Sites in Chichester City North Development Brief, adopted by the Council in 2012 as noted above.
6. Part of a wider regeneration site which has benefited from significant support from the Local Planning Authority and has been hugely successful in delivering 15,000 sq. m of new development at Barnfield Drive.

The land is owned by the Council, who have a development agreement with Brookhouse Group Limited to deliver development on the site.

However, as part of the emerging Local Plan, the Local Planning Authority intends to deallocate the site from its existing allocation for retail and business uses. No justification has been provided for the deallocation of the site, although discussions with the Planning Policy team has confirmed that it envisages that there will be a development that takes place on the site.

The Local Planning Authority has a long-standing position of supporting planning applications for retail development at the site and surrounding area and has granted planning permission to Brookhouse for retail uses on a number of parcels of land surrounding the site, including the Homebase, Home Bargains, Iceland Food Warehouse, Halfords, Aldi (the now completed phase one) and Lidl uses that form the boundaries of the site between Barnfield Drive and Westhampnett Road and have been developed by Brookhouse Group Limited as part of its development agreement with the Council for developing the site and its surrounding. As the Local Planning Authority is aware, outline planning permission was granted for retail development on this specific site under Reference CC/13/03775/OUT on 26 January 2016; this was phase two of the wider development. Subject to market conditions, the only element of this phase of retail development

that was able to be delivered pursuant to that permission was the Lidl store, which was always intended to be the first element of development on the parcel of land that the site forms part of, with the site itself being the final phase of the 'Barnfield Drive' retail development area that forms part of the development agreement with the Council and the final phase that has always been envisaged by the Local Planning Authority to be delivered for retail development.

Given that long-standing position by the Local Planning Authority to support retail development on the site, there has therefore been no justification provided to remove the site allocation for the site and place a barrier to the delivery of the development of the final phase of development, which has had long-standing support from the Local Planning Authority. The Local Planning Authority is aware that the applicant will shortly be progressing a planning application for retail development at the site, consistent with the site's existing allocation for retail purposes.

The Council has prepared an evidence base to support the Local Plan that indicates that in the City, there will be a comparison goods and convenience goods need of 6,100 sq. m (gross) by 2039; which is the end of the emerging Local Plan period. Emerging Policy E5 indicates that that need will be met through the reoccupation of existing floorspace, but doesn't provide any evidence as to how that would be the case and whether that floorspace is even appropriate to meet modern retail use needs. Further, the Council's evidence in the Chichester Retail and Main Town Centre Uses Study Update Report published on 23 March 2022 identifies a need of 3,700 sq. m (gross) of food and beverage floorspace, which itself could ensure the reoccupation of vacant floorspace. It follows that there is no empirical evidence that the need for additional retail floorspace would be met through existing town centre units and it may very well be the case that the vacant units may be occupied for alternative town centre uses, principally within Use Class E, as is the current trend for the reoccupation of vacant units in centres.

It follows that the site still presents the opportunity to meet latent need for retail floorspace in the City, consistent with the vision for the site in the adopted development plan, the Development Brief and the Local Planning Authority and Council's long-standing objective to see the site developed for retail purpose consistent also with the numerous planning permissions that have been granted for the development of the site and surrounding area for retail purposes. The site, as mentioned above, would be the completion of the final phase of development of the area for retail purposes as envisaged by the Local Planning Authority in its long-standing land-use planning strategy that dates back almost 20 years since the Homebase was developed, but for at least ten years since the Development Brief was issued earmarking the site and wider immediate area as a location that is suitable for retail development.

Paragraph 35 of the National Planning Policy Framework requires Local Plans to be positively prepared, justified, effective and consistent with national policy. Whilst it is the case that the Local Planning Authority has an evidence base setting out a need for additional retail floorspace, the emerging Local Plan is not positively prepared, justified or effective in terms of how that need will be met – there is no clear evidence that a nebulous view that the need could be met through the reoccupation of vacant floorspace is either justified or effective; particularly as vacant floorspace is a characteristic of that space being a failed retail outlet, and nor is it a positively prepared strategy to meet modern retail requirements.

Conversely, by maintaining the allocation of the site for retail purposes will ensure that the emerging Local Plan is positively prepared, justified and effective in terms of meeting that need as:

1. It provides a location where there is market demand to meet that need, as evidenced by the forthcoming application for retail development on the site that will meet modern retail requirements, and the long-standing position of the Local Planning Authority to support retail development in that area through the grant of numerous planning permissions, including permission on the site. The allocation of the site will therefore meet the requirements for the emerging Local Plan to be positively prepared to meet objectively assessed needs.
2. It is justified and positively prepared as it will ensure that the completion of the development in that area for retail purposes through the development of the last parcel of land that has long been earmarked for retail development in the area, including through the support of applications to develop the site for retail purposes.
3. Given the market demand for retail development on the site, such an allocation is effective in meeting the need for additional retail floorspace in Chichester. Such an allocation will also represent positive preparation to meet the identified need.

Against that background, we request the continued allocation of the site for retail purposes for the reasons outlined above and we further request a meeting to discuss matters further.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Site Plan - <https://chichester.oc2.uk/a/sxv>

## Support

**Document Element:** Policy E5 Retail Strategy and New Development

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of the above policies. Bellway welcome the prospect of delivering new housing to support economic development in a sustainable location.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy E5 Retail Strategy and New Development

**Respondent:** John Newman [8169]

**Summary:**

I think that you are being extremely optimistic in your policy and in particular your statement that "the vitality and viability of the city and local centres will be maintained and enhanced" - a lot of realistic thought is needed about this. I wonder if the city centre will become more residential.

**Full text:**

See attachment.

**Change suggested by respondent:**

I think it inevitable that town centre shopping in a city like Chichester will continue to diminish and that therefore our planners have to allow for this and be thinking of alternative uses.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy E5 Retail Strategy and New Development

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

This needs to focus location of new development in integrated communities with active travel links directly between new residential and new employment, business and retail development, or to be located close to and with continuous, direct, safe attractive, comfortable active travel links from railway stations or other public transport hubs. This policy must not undermine the policies mitigating climate change by increasing car use.

e.g. Policy E5 Retail Strategy and New Development

Uses proposed outside of all existing centres "must also satisfy all the following criteria

1 Service traffic yes, customer traffic no, so delete

2 delete and replace with "The proposal is primarily accessed by active travel integral to new housing development or continuous, direct, safe, attractive, comfortable link with existing housing and or public transport

**Full text:**

See attached.

**Change suggested by respondent:**

Uses proposed outside of all existing centres "must also satisfy all the following criteria

1 Service traffic yes, customer traffic no, so delete

2 delete and replace with "The proposal is primarily accessed by active travel integral to new housing development or continuous, direct, safe, attractive, comfortable link with existing housing and or public transport

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Background, 7.48

**Respondent:** RADAR (. RADAR ACTION GROUP, Member) [7813]

**Summary:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently. Past performance undermines the Soundness of the Plan and possibly the Legality.

**Full text:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently. ( Address can be supplied, if requested but withheld for Legal reasons) Past performance undermines the Soundness of the Plan and possibly the Legality.

The Historic City should already be protected by the CDC but the Planning Department have not implemented or enforced policies with any effect or Confidence nor taken account of the sensitivity of the area next to the Cathedral and Boarding School and has left the Conservation Area and Residents at RISK.

Listed buildings in residential areas should not be used for amplified music venues.

The Church of Rome & The Church Of England now have a stricter Policy and ethos in place of encouraging community usage for their deconsecrate churches and buildings.

**Change suggested by respondent:**

A clear distinction between the Residential areas of the City Centre.

Zoning of Bar and night time economy should be sought.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Background, 7.48

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

There is reference to the Chichester Vision document which was created in 2017. This draft Local Plan is looking at the next 15-20 years. The 2017 document is clearly out of date and a great deal has changed in terms of both the population and the demands of different age groups of the population. It is not ambitious enough and lacks vision.

**Full text:**

There is reference to the Chichester Vision document which was created in 2017. This draft Local Plan is looking at the next 15-20 years. The 2017 document is clearly out of date and a great deal has changed in terms of both the population and the demands of different age groups of the population. It is not ambitious enough and lacks vision.

**Change suggested by respondent:**

.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy E6 Chichester City Centre

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Does not include any strategies to enhance the early evening or night-time economy as in 7.47 It is completely focussed on retail.

**Full text:**

Does not include any strategies to enhance the early evening or night-time economy as in 7.47 It is completely focussed on retail.

**Change suggested by respondent:**

.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy E6 Chichester City Centre

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of the above policies. Bellway welcome the prospect of delivering newhousing to support economic development in a sustainable location.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy E6 Chichester City Centre



**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

Full of laudable aspirations and objectives. However, the Chichester Vision document dates back to 2017 and requires a very rapid 2023 update.

Much has changed in people's lives since 2017. Our view is that any Vision has to be the product of a competitive tendering process and there has to be a substantial budget allocated to this process.

We are not aware of any visionary architects, landscape and environmental planners being in full-time employment of CDC. If they are there, why do we not hear from them?

Chichester should be the jewel in this part of West Sussex's crown but it is increasingly a tarnished jewel.

City centres will need to become safe places for more people to live – and the accommodation will not be large, terraced or detached homes, but tastefully designed apartments.

There will be a need to establish a much better system of volume parking. Have underground car parks been considered?

Has ground floor parking with accommodation above been adequately used?

The Vision for Chichester 2023 should be the TOP PRIORITY for the newly elected District Council.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our

water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Policy E7 Local Centres

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of the above policies. Bellway welcome the prospect of delivering new housing to support economic development in a sustainable location.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Support

**Document Element:** Background, 7.56

**Respondent:** Mr Robin Davison [7931]

**Summary:**

Selsey Town Council comments that tourism on the Manhood Peninsula is not a secure 365 days a year employment opportunity to be relied on.

**Full text:**

Selsey Town Council comments that tourism on the Manhood Peninsula is not a secure 365 days a year employment opportunity to be relied on.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 7.57

**Respondent:** John Newman [8169]

**Summary:**

Paragraph 7.57 is very important.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy E8 Built Tourist and Leisure Development

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of the above policies. Bellway welcome the prospect of delivering new housing to support economic development in a sustainable location.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Support

**Document Element:** Policy E8 Built Tourist and Leisure Development

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

It is true that our district has a great deal to offer but there are massive holes in the fabric.

Infrastructure – roads, rail, bus, entertainment venue(s), hotel and other accommodation – all are lacking and are not up to the level of need or expectation of all ages of our demographic population.

There is no surprise that AirBnB has so successfully penetrated the tourism sector.

We do not yet know what will become of the former Army & Navy store but we have to hope and pray that the new use will be inspirational and not solely retail.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

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13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the

AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

**Document Element:** Policy E8 Built Tourist and Leisure Development

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England strongly supports the inclusion of both criterion 2. (applicable to all new tourist and leisure development) and the final policy paragraph which requires proposals for tourist accommodation to contribute to the relevant access management strategies to mitigate recreational disturbance to the coastal SPAs in accordance with policies NE6 and NE7.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Support

**Document Element:** Policy E9 Caravan and Camping Sites

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policy E9 and would stress that relevant provision is very important. I am well aware, for instance, that there were several years when this was the only way I could seriously consider tourism, and I am sure that there will be many who are faced with the same situation. This may well be an issue where CDC needs to be careful not excessively to listen to the NIMBies.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy E9 Caravan and Camping Sites

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Supporting measures to reduce demand.] We support the development proposals for new caravan and camping sites that provide for winter storage of touring caravans/other forms of touring units, because this helps to reduce the number of large and towing vehicles on the SRN.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).



- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as

Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.

- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.

• If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the ‘Strategic road network and the delivery of sustainable development’ (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings
- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Support

**Document Element:** Policy E9 Caravan and Camping Sites

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of the above policies. Bellway welcome the prospect of delivering new housing to support economic development in a sustainable location.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy E9 Caravan and Camping Sites

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Requirement 5 to conserve AND enhance is too strict and not justified within 'ordinary' countryside. It is appropriate within the the AONB, but not elsewhere

The policy refers to winter storage but not year round.

It is year round that is needed as people tend to keep their caravans in storage all year as they cannot have them on their front gardens

**Full text:**

Requirement 5 to conserve AND enhance is too strict and not justified within 'ordinary' countryside. It is appropriate within the the AONB, but not elsewhere

The policy refers to winter storage but not year round.

It is year round that is needed as people tend to keep their caravans in storage all year as they cannot have them on their front gardens

**Change suggested by respondent:**

Reword 5.

Remove the word 'winter' when referring to storage.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy E9 Caravan and Camping Sites

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

This is an important sector for tourism. Glamping is the most modern development and should surely be encouraged within the District in appropriate locations.

Water supply issues and the need for a region-wide water supply study will need to be seen as a top priority. Water for drinking etc. is a finite supply item and tourism inevitably loads the strain on our water supply network, particularly, if as is widely predicted global temperatures will rise much faster than predicted.

Quality of sites and their services is critical.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

**Document Element:** Policy E9 Caravan and Camping Sites

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are pleased to see that our comments from the Regulation 18 consultation have been incorporated into this policy with the addition of the wording "They are located so as to avoid areas at greatest risk of flooding."

**Full text:**

We are pleased to see that our comments from the Regulation 18 consultation have been incorporated into this policy with the addition of the wording "They are located so as to avoid areas at greatest risk of flooding."

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy E9 Caravan and Camping Sites

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

We maintain the advice given in our response dated 12th November 2021, that Requirement 9 (relating to designated sites and protected landscapes) should apply to all new caravan and camping sites and intensification/alterations to existing sites and should be strengthened and brought in line with the wording used in Policy E8

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

Proposed wording in relation to all such development:

It is located so as not compromise the essential features of nationally designated areas of landscape, historic environment or nature conservation protection, including impacts from visitors or users of the facility, particularly in relation to the potential for increased recreational pressures on Chichester Harbour, Pagham Harbour, Medmerry Compensatory Habitat and other designated sites.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>



## Support

**Document Element:** Policy E10 Equestrian Development

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway note the contents of the above policies. Bellway welcome the prospect of delivering new housing to support economic development in a sustainable location.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sq>

## Support

**Document Element:** Policy E10 Equestrian Development

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

It is of deep concern to the residents of Chidham & Hambrook that CDC Planning has not applied the good intentions stated in Policy E10 when it comes to the proposal to develop the Willowbrook Riding School and Stables located at the north of our Parish.

To access this site, the developers will have to create a two vehicle wide bridge over the unique Ham Brook chalk stream. Only 2 of the proposed dwellings will actually be located in Hambrook BUT all the new homes will only be accessed via roads within the parish. The site for development lies extremely proximate to the connective Wildlife Corridor linking the harbour AONB with the SDNP. Our view is that the planning application should have been refused at the outset for these and many other reasons.

Equestrian activity is of great benefit to both fully fit and severely disabled people of all ages. It is a great community asset and Willowbrook should not be lost to greed.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to it long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a

special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

**Document Element:** Policy E10 Equestrian Development

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Following our advice given in November 2021 we are pleased to note the inclusion of an additional policy requirement (9) relating to consideration of biodiversity impacts and the provision of biodiversity net gain.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Background, 8.1

**Respondent:** Mr Michael Wright [7848]

**Summary:**

In recent years the local public transport has failed to adequately support the strategic transport network. For example the local bus services have declined in terms of routes, service hours and frequency. Several bus services now do not run after 6pm and do not even reach the Chichester train station. For many school, working and commuting people local public transport is now near useless. Your plan should address this.

The emphasis on private car use is misguided, for local transport.

**Full text:**

In recent years the local public transport has failed to adequately support the strategic transport network. For example the local bus services have declined in terms of routes, service hours and frequency. Several bus services now do not run after 6pm and do not even reach the Chichester train station. For many school, working and commuting people local public transport is now near useless. Your plan should address this.

The emphasis on private car use is misguided, for local transport.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 8.1

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]

**Summary:**

Insufficient evidence to demonstrate key infrastructure (i.e. Terminus Road Diversion) will be deliverable; Package of sustainable transport infrastructure and measures not yet sufficiently well-developed to demonstrate it is deliverable as part of monitor and manage process; Insufficient evidence to demonstrate capacity of transport network can accommodate scale of development proposed as part of Southbourne BLD. See attached for reasons for issues, why soundness of Plan affected and suggested changes to remedy issues.

**Full text:**

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

**Transport Overview**

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
  2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
  3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.
- The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

**Deliverability of Key Infrastructure**

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding

has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

#### Sustainable Transport Infrastructure & Measures

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety

focused improvements, including at junctions” and change “These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas” to “These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes.”

#### Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

#### 1) Education

##### Land West of Chichester

Previous comments have been made requesting that the policy refers to ‘Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision’. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: ‘a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments, ...’

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion ‘Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.’ While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

##### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: ‘A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...’

#### 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to

safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

### 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

### 4) Highways and Transport

#### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

#### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

#### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

#### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However,



the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

#### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

#### 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places

and non-PRoW routes.

#### Change suggested by respondent:

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>

Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Object

**Document Element:** Background, 8.1

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

To be attractive to businesses, residents and economically essential tourists, efficient, affordable, smooth-running and frequent rail and bus services are absolutely essential.

Regrettably our plan area is not well served by rail or bus services – but this is as much a national as it is a local issue.

We would not agree with the suggestion that we have adequate cycle and pedestrian routes. There has been a stop/start process on dedicated cycle routes along the A259 between Fishbourne and the Havant Borough border. It is a fact that seems not to be willingly acknowledged that the A259, whilst categorised as a 'resilient road' (because it is the only viable alternative which exists to take the traffic from the A27 when that vital transport artery – dual carriage road – is out of action (which is not an infrequent occurrence)

We would contend that in parts the A259 is too narrow to allow for separate pedestrian and cycle routes. It is very clearly dangerous to have cyclists riding at 20+mph on the same route as pedestrians of all ages and very often mothers with buggies.

#### Full text:

##### Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate

sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to it long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

**Document Element:** Background, 8.1

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Chapter 8 should make reference to the role of aviation in transportation. The NPPF (paragraph 106f) requires local planning policies to: "recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy."

**Full text:**

Chapter 8 should make reference to the role of aviation in transportation. The NPPF (paragraph 106f) requires local planning policies to: "recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy." The plan does not make such references and is therefore not compliant with the NPPF and consequently is unsound.

Goodwood Aerodrome is a general aviation airfield.

Moreover, the plan should make provision for how aviation is likely to change in the future, with technological advances, not only in terms of being more accessible to the public for sport and recreation, but also the impact of STEM activities and their important role in future aviation and the advance of drone and similar technologies. Goodwood Airfield is closely and actively engaged with developers of such technology and this is likely to become an increasing sector of the Estate's business.

General aviation airfields, such as Goodwood, frequently have sufficient land available for new aviation-related facilities (unlike constrained commercial airfields) and provide a major infrastructure resource. Unfortunately, this benefit is often overlooked in planning policies, and many airfields are subjected to threats of redevelopment – for reasons of viability fuelled by a high demand for housing land- and increasing resistance to developments supporting aerodrome business (such as potential noise and disturbance to adjoining residential areas)

Local political reaction to activities at many general aviation airfields has led to the introduction of restrictive planning policies, many related to noise and disturbance and a fear of expansion. Goodwood airfield is no exception, but it has worked with the local community over many years to reach an operational position that provides a balance between continued operation and protection of local amenities. Unfortunately in recent years, particularly as a result of an ill-founded strategic development allocation in the previous local plan, that operational balance is coming under further strain and cannot be further adjusted.

A position is fast approaching where operations at the airfield and motor circuit could be compromised unacceptably by the encroachment of new development, in particular housing development. This was ably demonstrated by the speculative housing proposal north of Madgwick Lane to which both the Estate and planning authority objected for reason, amongst many others, potential noise disturbance, safety concerns and operational constraints which contributed to an unacceptable 'agent of change' situation.

The proposal was subject to public inquiry and a finely balanced decision was granted in favour of development by the inspector for reason of the benefits of new housing outweighing the potential harm to Goodwood operations, on grounds that the (unproven) mitigation offered by the developer will be both provided and be effective, and we suggest, a misunderstanding of the true impacts of existing operations.

The Estate will continue to oppose the development for sound planning reasons that the mitigation offered and based on inaccurate evidence, will be inadequate and ineffective in addressing the concerns raise by the Estate and planning authority.

**Change suggested by respondent:**

Chapter 8 should make reference to the role of aviation in transportation. The NPPF (paragraph 106f) requires local planning policies to: "recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy."

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 8.2

**Respondent:** Mr Michael Wright [7848]

**Summary:**

The Plan fails to demonstrate how the proposed new scattered development areas can reduce car travel and improve public transport coverage/service. The scattered developments are residential low rise that have insufficient density to support public transport.

Secondly, The Plan acknowledges that many residents work outside Chichester but does not show a strategic plan to create substantial employment opportunities near Chichester to reduce car travel/trips and regenerate public transport.

The Plan compares poorly with some other English City plans

**Full text:**

The Plan fails to demonstrate how the proposed new scattered development areas can reduce car travel and improve public transport coverage/service. The scattered developments are residential low rise that have insufficient density to support public transport.

Secondly, The Plan acknowledges that many residents work outside Chichester but does not show a strategic plan to create substantial employment opportunities near Chichester to reduce car travel/trips and regenerate public transport.

The Plan compares poorly with some other English City plans

**Change suggested by respondent:**

Increase density of developments. Reduce encroachment into green belt areas distant from the City Centre. Explain how local public transport can be transformed into a useable service by the majority of the population.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Background, 8.2

**Respondent:** John Newman [8169]

**Summary:**

I agree with this paragraph. We all know the problems of the Chichester by-pass only too well. I in fact cycled to Bognor and back this morning –the queue of cars on the A259 aiming for the roundabout connection with the A27 stretched back beyond Brick Kiln Farm while I was cycling both ways, and this is not unusual. If I am driving back from Bognor, I always turn right at the Drayton roundabout and come home via Shopwhyke Lakes - much easier! If I have been to Sainsbury's, I will often return either via Bradshaw Road or via Lavant, and I am well aware that I am not the only "rat" using these alternatives, which must annoy some people considerably. But at least one thing the authorities have got right is the new traffic lights south of the Drayton roundabout, which makes the journey for a cyclist so much safer - thank you.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Background, 8.3

**Respondent:** Mr Colin Hamilton [7838]

**Summary:**

The Chi A27 bypass is well over capacity today, before CDC build another ? 15000 houses and Arun build another 15000. Spending millions on tinkering with the junctions at enormous cost will be futile. It would be better to put the money towards the ONLY sensible solution, a nothern bypass.

**Full text:**

With the A27 and all approach roads in the vicinity of Chichester at near standstill both ways for many hours each day, it is ridiculous to suggest that it is near its design capacity. I am appalled that you are considering tinkering with roundabouts on the Chi bypass at the cost of many tens of millions. There are few vaguely intelligent people who don't understand that the ONLY way to overcome the worst problem facing residents of Chichester and all residential areas south of it is to build a new bypass to the NORTH., overcoming any resistance from a very small proportion of local residents/property owners.

It would be very much more sensible to ringfence the funds porposed and offer them uo to Highways England for that nothern bypass.

The proposed housing developments in thr Chi district area are horrendous. I wonder if the equally horrendouse plans for Arun. which are a fait accompli have been factored into the dreadful congestion that exists today.

**Change suggested by respondent:**

N/A

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Background, 8.3

**Respondent:** lavant parish council (Mr nick reynolds, mr) [7878]

**Summary:**

The lack of any improvements to the A27 has resulted, as predicted when CDC/WSCC rejected £350m previous funding, in severe road congestion and rat running in surrounding villages and local roads. Discussions with Lavant PC and others must commence immediately and funding must be set aside to implement mitigation measures

**Full text:**

The lack of any improvements to the A27 has resulted, as predicted when CDC/WSCC rejected £350m previous funding, in severe road congestion and rat running in surrounding villages and local roads. Discussions with Lavant PC and others must commence immediately and funding must be set aside to implement mitigation measures

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 8.3

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

There is no capacity within the strategic road network to accommodate the additional traffic the housing proposed in this plan will create and there is no guaranteed upgrade to the strategic road network planned. The proposed local plan seems to predate the Chichester District Council's Local Plan Transport Assessment (CDCLPTA) which was released in January 2023. The transport assessment confirms what residents have known for the last 10+ years: the strategic road network is at capacity. The CDCLPTA was aware that the 6 major junctions were at capacity in 2014 and nothing has been done since to improve the situation.

**Full text:**

There is no capacity within the strategic road network to accommodate the additional traffic the housing proposed in this plan will create and there is no guaranteed upgrade to the strategic road network planned. The proposed local plan seems to predate the Chichester District Council's Local Plan Transport Assessment (CDCLPTA) which was released in January 2023. The transport assessment confirms what residents have known for the last 10+ years: the strategic road network is at capacity. The CDCLPTA was aware that the 6 major junctions were at capacity in 2014 and nothing has been done since to improve the situation.

**Change suggested by respondent:**

The housing needs to be limited to 2,699 houses to take into account the proposed allocation from government targets reduced by 76.5% to reflect the land in the Chichester District which cannot be developed because it is in the South Downs National Park or forms part of an Area of Outstanding Natural Beauty.

Policy A11 and A12 need to be removed from the plan.

Policy A13 should be limited to 300 houses.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:**

Relevant Quotes from CDC Local Plan Transport Assessment January 2023.docx -

<https://chichester.oc2.uk/a/qq>

## Object

**Document Element:** Background, 8.3

**Respondent:** Fishbourne Parish Council (Parish Clerk) [915]

**Summary:**

Please extend this paragraph to say 'which are often neither designed nor constructed to deal with the cumulative impact and increased maximum size and weight of the new traffic'.

**Full text:**

Please extend this paragraph to say 'which are often neither designed nor constructed to deal with the cumulative impact and increased maximum size and weight of the new traffic'.

**Change suggested by respondent:**

Please extend this paragraph to say 'which are often neither designed nor constructed to deal with the cumulative impact and increased maximum size and weight of the new traffic'.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Object

**Document Element:** Background, 8.3

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Principal causes of A27 congestion are local traffic movements from and to an inadequate local highway network, made worse by poorly integrated new developments, and conflicted priorities between through and crossing traffic.

The solution is not a very costly "by-pass" of limited economic or environmental benefit. Past by-pass proposals failed to correctly assess the true economic cost of options promoted, the cost and benefits of tackling the issues at a local level of on-line improvements, lack of co-ordinated improvements in the local highway network and a failure to engage appropriately and positively to solve a common problem.

**Full text:**

Principal causes of A27 congestion are local traffic movements from and to an inadequate local highway network, made worse by poorly integrated new developments, and conflicted priorities between through and crossing traffic.

The solution is not a very costly "by-pass" of limited economic or environmental benefit. Past by-pass proposals failed to correctly assess the true economic cost of options promoted, the cost and benefits of tackling the issues at a local level of on-line improvements, lack of co-ordinated improvements in the local highway network and a failure to engage appropriately and positively to solve a common problem.

**Change suggested by respondent:**

Neither the local plan nor its strategies should be based on any A27 by-pass premise and should not make provision for any A27 by-pass proposal.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Background, 8.4

**Respondent:** Fishbourne Parish Council (Parish Clerk) [915]

**Summary:**

We support this in principle. In practice, it needs to be noted that the uncertainty of when this can be achieved means that similar flexibility must be accepted in neighbourhood plans if these are to deliverable.

**Full text:**

We support this in principle. In practice, it needs to be noted that the uncertainty of when this can be achieved means that similar flexibility must be accepted in neighbourhood plans if these are to deliverable.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 8.4

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]

**Summary:**

Object on grounds that: Public Transport and Park and Ride sections of transport study requires revisiting; conclusion at 8.4.4 re; A285 New Park Road/A286 St Pancras Rd Junction 7 only supported for pedestrians, not for cyclists, further measures required; layout at figure 7-8 for A286 Northgate Gyratory does not maximise opportunity to improve convenience and safety for pedestrians, scheme requires further development; approach at Fishbourne Road West/Appledram Lane South (Junction 11) location requires re-thinking; re- consider TEMPro Background Traffic Growth Comparisons; revise north of district spatial scenarios testing and methodology for Neutral Month and Summer Month Comparison Technical Note.

**Full text:**

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District

Council and as further work is completed will consider if objections can be withdrawn.

### Transport Overview

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
  2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
  3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.
- The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

### Deliverability of Key Infrastructure

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

### Sustainable Transport Infrastructure & Measures

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

#### Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

#### 1) Education

Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the

primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments, ...'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

#### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

#### 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

#### 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

#### 4) Highways and Transport

##### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

##### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also

deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

#### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

#### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

#### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset

in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

#### 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

#### Change suggested by respondent:

Various areas of transport study require revisiting - see full submission/attachments.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>

Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Object

**Document Element:** Background, 8.4

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

#### Summary:

The road network is already at capacity and even if all the homes are built developer contributions would not pay for the improvements needed.

#### Full text:

The road network is already at capacity and even if all the homes are built developer contributions would not pay for the improvements needed.

#### Change suggested by respondent:

Housing numbers reduced until a source of funding is identified and certain.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 8.4

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking further information/Matter to be addressed]. Local Plan evidence - Chichester Transport Study (Local Plan Review Transport Assessment) - January 2023

Chapter 6 Mitigation considerations, whilst favourable, are unlikely to mitigate impacts on the A27 and its junctions.

Estimated construction costs will have fluctuated considerably, and should be subject to future detailed review.

The recommended Monitor and Manage approach does not provide details, actions or recommendations to enable review of the mitigation requirements. Proposed methodology (Appendix B) does not include monitoring individual developments, or the manage approach.

Seek clarity on how the Plan will address conclusions of the The District Wide Collision Review and Seasonal Impact Report, particularly for A27-related matters.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are

interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
  - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.



It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is

available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Background, 8.4

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

We would highlight that the transport assessment carried out to inform the South Downs Local Plan indicated a potential severe impact on the Petersfield Road / Bepton Road / Rumbolds Hill junction in Midhurst of additional development in the town, in the context of junctions already becoming overcapacity due to background traffic growth, for example, arising from strategic development in neighbouring planning authorities. Rumbolds Hill in Midhurst is also a designated Air Quality Management Area which came into force in January 2020.

It is noted from the Transport Assessment that there is expected to be some increase in traffic on the A286 towards Midhurst, although it is not clear from the study how this will impact the relevant junctions in Midhurst, including the designated Rumbolds Hill AQMA. SDNPA may seek further assurance that such potential impacts have been looked at, and appropriate mitigation sought.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Object

**Document Element:** Background, 8.4

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

The road network is very clearly at capacity already. Journey times, particularly at peak times, are much longer in 2023 than they were and must be attributed to the numbers of new homes built in recent years both along the A259 and to the East of Chichester.

It cannot be a valid justification to build thousands more houses to raise additional CIL money from developers to provide essential road improvements WHICH SHOULD BE IN PLACE BEFORE ANY FURTHER BUILDING IS APPROVED. Cart before the horse thinking.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District

residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Background, 8.4

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.4 Development needs accessibility built into it and active travel networks built to the standard people feel safe and comfortable to use between development and things people need to access outside the development especially railway stations so as not to increase car use. While national policy is to pay for road use through taxes rather than at point of use, increasing road capacity increases road use without development, therefore this policy will exacerbate existing problems and clog up existing settlements.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Background, 8.4

**Respondent:** Mr Simon Davenport [7100]

**Summary:**

Transport Assessment validity of the data used:

The CATM model has been validated and calibrated using 2014 counts. Using 2014 data means that significant changes such as the opening of Chichester Free School immediately next to the A27 Whyke roundabout, with over 1000 pupils and over 140 staff may not have been considered.

This data is now 9 years old and conclusions drawn on this basis may be therefore unsound.

**Full text:**

Transport Assessment validity of the data used:

The CATM model has been validated and calibrated using 2014 counts. Using 2014 data means that significant changes such as the opening of Chichester Free School immediately next to the A27 Whyke roundabout, with over 1000 pupils and over 140 staff may not have been considered.

This data is now 9 years old.

The Transport Assessment states that "it should be noted that even prior to adding in the Local Plan development, all the junctions on the A27 Chichester bypass are over capacity in one or both modelled peak hours. With the exception of Portfield Roundabout, the junctions are also shown to be over or very near capacity in the base year model (2014) before any additional background or Local Plan traffic is added, highlighting the fact that it is not just the Local Plan or committed Chichester development which leads to this situation."

Whilst only 28% of traffic growth can be linked to committed and proposed Local Plan developments, if the mitigation measures only apply to Fishbourne and Bognor roundabouts, then the problem with over capacity still remains.

Therefore, the plan is not effectively mitigating the impact of the addition growth and is adding further demands on capacity which is already exceeded, therefore the housing number should be challenged further.

**Change suggested by respondent:**

The projected house building target needs to be reduced and traffic calming measures on local roads increased.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Background, 8.4

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

### Summary:

Table 2.2 of the Chichester Transport Study outlines the development quanta for each site allocation assumed for the transport modelling work. This shows that only 7ha of the total 10ha R-RMC expansion site is included. This is not entirely consistent with the approach for other sites. Paragraph 1.4.2 states that the quanta of development is based on the Council's best estimate at the time. Similarly, the Infrastructure Delivery Plan (IDP) applies 7ha to the R-RMC expansion site.

It would be helpful to either update the two documents for consistency or provide additional supporting commentary to explain the discrepancy in approach.

### Full text:

The supporting Chichester Transport Study: Local Plan Review Transport Assessment (Stantec, January 2023) provides a strategic view of the cumulative impacts of development proposed through the draft Local Plan. Table 2.2 outlines the development quanta for each site allocation assumed for the transport modelling work. This shows that only 7ha of the total 10ha R-RMC Goodwood expansion site is included in the model. This is not entirely consistent with the approach for other sites.

Paragraph 1.4.2 states that the quanta of development and other assumptions are based on the Council's best estimate at the time the stage commenced, and that capacity for development may change as a result of the evolving evidence base. Similarly, the supporting Infrastructure Delivery Plan (IDP) applies 7ha to the R-RMC Goodwood expansion site.

It would be helpful to either update the two documents for consistency or provide additional supporting commentary to explain the discrepancy in approach.

### Change suggested by respondent:

Suggests either update the two documents for consistency or provide additional supporting commentary to explain the discrepancy in approach.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 8.4

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

Support in principle

**Full text:**

The supporting Chichester Transport Study: Local Plan Review Transport Assessment (Stantec, January 2023) provides a strategic view of the cumulative impacts of development proposed through the draft Local Plan. Table 2.2 outlines the development quanta for each site allocation assumed for the transport modelling work. This shows that only 7ha of the total 10ha R-RMC Goodwood expansion site is included in the model. This is not entirely consistent with the approach for other sites.

Paragraph 1.4.2 states that the quanta of development and other assumptions are based on the Council's best estimate at the time the stage commenced, and that capacity for development may change as a result of the evolving evidence base. Similarly, the supporting Infrastructure Delivery Plan (IDP) applies 7ha to the R-RMC Goodwood expansion site.

It would be helpful to either update the two documents for consistency or provide additional supporting commentary to explain the discrepancy in approach.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 8.5

**Respondent:** Mrs Clare Gordon-Pullar [7010]

**Summary:**

Chichester residents have already rejected Highways Agency proposals for the A27 which included building a new link road to the Fishbourne roundabout / making changes to roundabouts.

This consultation refers to proposed changes but with no description so consultees are not able to make representations.

A left turn at the Stockbridge roundabout is used to justify the new relief road as traffic couldn't cross the A27. It forces traffic to travel to the nearest roundabout to turn round to return in the opposite direction and causing congestion at roundabouts and roads.

It will turn residential streets into rat runs.

**Full text:**

Chichester residents have already rejected Highways Agency proposals for the A27 which included building a new link road to the Fishbourne roundabout / making changes to roundabouts.

This consultation refers to proposed changes but with no description so consultees are not able to make representations.

A left turn at the Stockbridge roundabout is used to justify the new relief road as traffic couldn't cross the A27. It forces traffic to travel to the nearest roundabout to turn round to return in the opposite direction and causing congestion at roundabouts and roads.

It will turn residential streets into rat runs.

**Change suggested by respondent:**

The proposed changes to junctions on the A27 and proposed new road building should be explained in the Local Plan and consultees given the opportunity to understand what these proposals actually mean and then comment on them.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None



## Object

**Document Element:** Background, 8.5

**Respondent:** lavant parish council (Mr nick reynolds, mr) [7878]

**Summary:**

This "kicks the can down the road". RIS3 funding remains most uncertain as RIS2 funding was rejected by CDC/WSCC and the A27 at Chichester remains a pipeline project.

Evidence that all funding avenues have been explored to enable a holistic solution for A27 junction improvements to be implemented is unclear. In particular is there funding available via the Major Roads Network package? This is presumably available for the A259 Bognor Road junction? Before CDC/ WSCC jeopardised access to MRN funds by removing the A286 south on unproven grounds this would have facilitated the required Stockbridge Link Road .

**Full text:**

This "kicks the can down the road". RIS3 funding remains most uncertain as RIS2 funding was rejected by CDC/WSCC and the A27 at Chichester remains a pipeline project.

Evidence that all funding avenues have been explored to enable a holistic solution for A27 junction improvements to be implemented is unclear. In particular is there funding available via the Major Roads Network package? This is presumably available for the A259 Bognor Road junction? Before CDC/ WSCC jeopardised access to MRN funds by removing the A286 south on unproven grounds this would have facilitated the required Stockbridge Link Road .

**Change suggested by respondent:**

CDC in collaboration with WSCC and National Highways need to have a convincing plan that the A27 junction upgrade cannot be funded in its entirety

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Background, 8.5

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

The local plan cannot guarantee any major road improvements to mitigate congestion and building housing on the scale proposed in the local plan is guaranteed to exacerbate the congestion and pollution levels in the Chichester District.

Currently every major junction is well over capacity at peak times and has been since the last local plan was produced in 2014. The roads are becoming unusable and adding 10000 houses to the district with no mitigation is against the wishes of the residents who have made Chichester District Council aware of the problem.

**Full text:**

The local plan cannot guarantee any major road improvements to mitigate congestion and building housing on the scale proposed in the local plan is guaranteed to exacerbate the congestion and pollution levels in the Chichester District.

Currently every major junction is well over capacity at peak times and has been since the last local plan was produced in 2014. The roads are becoming unusable and adding 10000 houses to the district with no mitigation is against the wishes of the residents who have made Chichester District Council aware of the problem.

**Change suggested by respondent:**

There should be a moratorium on building in the area until there is a definitive plan for upgrading the strategic road network.

Policy A11 and Policy A12 should be removed from the plan because most of this traffic will access the strategic road network via the Fishbourne Roundabout which is the most heavily congested and the roundabout identified in the Chichester District Council Local Plan Transport Assessment as being the most in need of measures to improve congestion delays.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Background, 8.5

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.5 Development should not be built that requires additional road capacity except as a last resort.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Background, 8.5

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Issues arising from inadequacies of the A27 and its local and national importance are acknowledged. Proposals to improve connectivity to and upgrading of that route are supported. Route improvement through the Government's RIS3 programme is to be welcomed. It is not for the local plan to make proposal for this national route but it can examine and make proposals for the local network connecting to it. Failure to invest in the local road network gives rise to many examples of movement restriction and capacity limitations, that in turn are manifest in added congestion on and around the existing A27.

While options for improvements to the A27 are not a matter for this local plan, undoubtedly comment will be raised about by-pass options and requests for the consequential safeguarding of land to facilitate construction. The planning authority will be well aware of the Estate's objection to any proposal for an A27 northern by-pass, a consequence which will result in the loss of the Goodwood Motor Circuit and airfield, with serious and direct adverse impacts for other Goodwood business sectors, and with it, loss of a significant and irreplaceable quantum of Goodwood income to the significant detriment to the district and regional economy. References to the A27 in the plan as published are acceptable. However, should it seek to accommodate A27 by-pass options it will be unsound.

**Full text:**

Issues arising from inadequacies of the A27 and its local and national importance are acknowledged. Proposals to improve connectivity to and upgrading of that route are supported. Route improvement through the Government's RIS3 programme is to be welcomed. It is not for the local plan to make proposal for this national route but it can examine and make proposals for the local network connecting to it. Failure to invest in the local road network gives rise to many examples of movement restriction and capacity limitations, that in turn are manifest in added congestion on and around the existing A27.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/t6w>

## Object

**Document Element:** Background, 8.5

**Respondent:** David Ball [7141]

**Summary:**

No further development along the A27 East West corridor including the proposed allocation of land north of Apuldram Lane to the A27 until a further public consultation is undertaken including options for a by pass to the North of the city.

**Full text:**

No further development along the A27 East West corridor including the proposed allocation of land north of Apuldram Lane to the A27 until a a further public consultation is undertaken including options for a by pass to the North of the city.

**Change suggested by respondent:**

No further development along the A27 East West corridor including the proposed allocation of land north of Apuldram Lane to the A27 until a a further public consultation is undertaken including options for a by pass to the North of the city.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Background, 8.6

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

The locations in this area, in the A259 corridor are not sustainable. The number of car journeys for day to day facilities will increase. Most of this traffic will be using the Fishbourne roundabout which will not be improved for a number of years. In the first instance development should be directed at city locations where the need for a car will be less.

**Full text:**

The locations in this area, in the A259 corridor are not sustainable. The number of car journeys for day to day facilities will increase. Most of this traffic will be using the Fishbourne roundabout which will not be improved for a number of years. In the first instance development should be directed at city locations where the need for a car will be less.

**Change suggested by respondent:**

Reduced housing numbers away from rural semi-rural locations.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 8.6

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

This paragraph is frankly nonsensical. Most of the areas designated for significant percentage increases in numbers of residences per parish under this Draft Local Plan are NOT SUSTAINABLE LOCATIONS.

Due to the lack of frequent, affordable rail and bus services, the only means of efficient transport will be the car. And we will not be all buying electric cars for some years to come when the unit price has dropped to more affordable levels and sufficient rapid-charging stations are located throughout the UK – we are light years behind our European neighbours.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future

because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of “cart before the horse” thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District’s population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council’s record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to ‘Hold the Line’ vs. ‘Managed Retreat’ in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city’s ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called ‘resilient road’ with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the “most crash prone A road” in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability

to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

We suggest much greater focus on Chichester City – their allocation is a mere 270 homes in the next 18 years. That is less than a service village (with MINIMAL SERVICES) with a high percentage of elderly residents and transport solutions which offer no workable alternative to the private car. Put more homes in locations where walking and cycling and buses can offer a workable solution.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Background, 8.6

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

#### Summary:

8.6 Fully support that development must in the most sustainable locations, but go further, if location unable to provide access via active travel and public transport, that location is unsuitable and should not be used.

#### Full text:

See attached.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Support

**Document Element:** Background, 8.8

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

It is all very well to say you support cycling and alternatives to the car, but if you do not allow cycling in the centre of Chichester, including the current pedestrian area of all 4 roads leading to the Cross, then this whole plan is unsound. Time is the main factor here. I can cycle to the Cross in 25 minutes, but if it takes 10 minutes to walk my bike across the centre, it is just too much, and i will go by car instead. The door to door time to cycle has to beat the car.

**Full text:**

It is all very well to say you support cycling and alternatives to the car, but if you do not allow cycling in the centre of Chichester, including the current pedestrian area of all 4 roads leading to the Cross, then this whole plan is unsound. Time is the main factor here. I can cycle to the Cross in 25 minutes, but if it takes 10 minutes to walk my bike across the centre, it is just too much, and i will go by car instead. The door to door time to cycle has to beat the car.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 8.8

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Measures 1 and 2 cannot be achieved by locating 2000 homes in the A259 corridor. Walking is unsafe on narrow and not fit for purpose footways. Cycling is hazardous because of the lack of integrated and continuous cycle ways. Public transport is infrequent, irregular and unaffordable.

3) The phrase managing travel demand is meaningless.

4) Impacts of travelling by car are increased emissions and decreased air quality. These cannot be mitigated.

**Full text:**

Measures 1 and 2 cannot be achieved by locating 2000 homes in the A259 corridor. Walking is unsafe on narrow and not fit for purpose footways. Cycling is hazardous because of the lack of integrated and continuous cycle ways. Public transport is infrequent, irregular and unaffordable.

3) The phrase managing travel demand is meaningless.

4) Impacts of travelling by car are increased emissions and decreased air quality. These cannot be mitigated.

**Change suggested by respondent:**

.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 8.8

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

Para 8.8 contains wishful thinking targets which, with 2000 new homes planned along the West of Chichester corridor will never be achieved.

Walking along the A259 with cyclists sharing the footway is unsafe. Public transport options offer zero solution as already commented.

Point 3 highlighted above: WHAT DOES THIS MEAN? HOW will people's travel be managed?

Point 4: There is no possible mitigation for the polluting emissions from non-electric cars. None. So this is just a meaningless and unachievable objective.

This may explain why in para 8.9 4 objectives are reduced to 3?

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity

to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to it long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>



## Object

**Document Element:** Background, 8.8

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.8 Increasing road capacity is not key to supporting growth, as increasing road capacity generates additional traffic that creates increased congestion in existing communities that stifles economic activity in those communities and tends to move economic activity away from local businesses out of town to locations that are good for road based activity fuelling a vicious circle.

The opening sentence of 8.8 is not compatible with Chichester District Council's declared Climate Emergency or the rest of 8.8 which is the key to the long-term future of Chichester and the rest of the coastal plain for future generations.

It is critical that the mindset changes from a presumption of car use calling active travel and public transport alternatives to the car to a presumption of everyone requiring access with a hierarchy starting with access without transport, followed by walking, cycling and public transport and a presumption that if access only possible by bottom of the hierarchy motor transport the development is unsustainable and should not go ahead.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Background, 8.9

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Where is the 4th objective which appears in 8.8?

**Full text:**

Where is the 4th objective which appears in 8.8?

**Change suggested by respondent:**

.Correction needed to refer to 4 objectives.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Background, 8.10

**Respondent:** Fishbourne Parish Council (Parish Clerk) [915]

**Summary:**

The Parish Council wishes to stress that ALL documentation, data and studies which are relevant to Transport should be included as evidence to support the Plan.

**Full text:**

The Parish Council wishes to stress that ALL documentation, data and studies which are relevant to Transport should be included as evidence to support the Plan.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 8.10

**Respondent:** Donnington Parish Council (Mrs Nicola Swann (Parish Clerk)) [888]

**Summary:**

CATM model calibrated and validated using 2014 data not taking account of developments such as Chichester Free School adjacent to A27 Whyke roundabout. Transport assessment states "all junctions on the A27 Bypass are over capacity in one or both modelled peak hours". Only 28% of traffic growth due to Local Plan development. Improvements only to Fishbourne and Bognor Roundabouts so over capacity issues still remain at other roundabouts. Plan does not effectively mitigate the impact of additional growth and is adding further demand.

**Full text:**

CATM model calibrated and validated using 2014 data not taking account of developments such as Chichester Free School adjacent to A27 Whyke roundabout. Transport assessment states "all junctions on the A27 Bypass are over capacity in one or both modelled peak hours". Only 28% of traffic growth due to Local Plan development. Improvements only to Fishbourne and Bognor Roundabouts so over capacity issues still remain at other roundabouts. Plan does not effectively mitigate the impact of additional growth and is adding further demand.

**Change suggested by respondent:**

Housing number should be further challenged on this basis.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 8.10

**Respondent:** David Ball [7141]

**Summary:**

The wording of this policy appears contradictory to the wording in paragraph 8.8 and the need to achieve net zero green gas emissions by 2050.

The provision of new road infrastructure including the proposed new link between Apuldram Lane and Fishbourne roundabout is contrary to numerous Policies set out in other chapters, of this plan regarding sustainability, protecting habitat, reducing air pollution, light pollution, minimising flood risk, and maintaining the natural environment and visual amenities.

**Full text:**

The wording of this policy appears contradictory to the wording in paragraph 8.8 and the need to achieve net zero green gas emissions by 2050.

The provision of new road infrastructure including the proposed new link between Apuldram Lane and Fishbourne roundabout is contrary to numerous Policies set out in other chapters, of this plan regarding sustainability, protecting habitat, reducing air pollution, light pollution, minimising flood risk, and maintaining the natural environment and visual amenities.

**Change suggested by respondent:**

Remove the proposal for the Apuldram link road

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Background, 8.10

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

The 'monitor and manage' approach appears here for the first time. Absolutely no explanation as to how this approach will work and be an improvement upon 'predict and provide'.

It is very clear to everyone that the through traffic issue created by a dual carriageway road with too many dangerous roundabouts must be and indeed is an impediment to all future growth of both Chichester City and the entire district of the plan area. The fact is that it is more often quicker to go through the city centre than use the by-pass: "the by-pass that doesn't".

We have a pitifully painful and slow approach to major road infrastructure projects. Car ownership shows no sign of diminishing – indeed because of the magnetic attraction of Goodwood, we would suspect that the level of car ownership in this area is well above average.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is

presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting

upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

We find it hard to believe that no funding can be found to ensure the A27 infrastructure gets the improvements it must have BEFORE MORE NEW HOMES ARE BUILT.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Background, 8.10

**Respondent:** Mrs Gabrielle Abbott [7919]

**Summary:**

Monitor and Manage' :

Is not justified given the already identified short-term need for A27 junction improvements

Is not justified given the lack of evidence from participation of the local community

Is not effective given the improvements identified are likely not to be deliverable during plan period through lack of funding

**Full text:**

These comments relate to the adoption of the proposed 'monitor and manage' approach referred to in this paragraph.

As acknowledged in Paras 8.2, 8.3 and 8.4 of this Plan road congestion around the junctions of the A27 bypass is already a major concern for residents and business in the area. We are told in para 8.4 that in many parts of the area the road network is operating at or close to designated capacity.

The currently adopted Local Plan for the period 2014 – 2029 (paras 8.3 and 8.7) acknowledges this and envisages a package of improvements to upgrade six junctions on the A27 Chichester Bypass to mitigate the impacts of development.

The West Sussex Transport Plan (2022-2036) likewise acknowledges the need for significant improvements to the A27 to support this new local plan citing (inter alia) congestion on the A27 and A259 during peak periods (not limited to AM and PM peak hours) and rat-running on residential and rural routes to avoid congestion on the A27. (Transport Plan Paragraph 7.54 )

A27 junction mitigation issues are listed as a short -term priority (2022 – 2027) for the Chichester area (Transport Plan Paragraph 7.63).

Not justified – not an appropriate strategy:

Given that capacity on the road network is already at or approaching full capacity how can allowing further development under a 'monitor and manage' approach be justified? Further monitoring is not required to tell us about problems which are already widely acknowledged.

Not justified – lack of evidence gathered from local community:

This policy was not included in the 2108 Local Plan Public Consultation nor has it been publicised prior to its inclusion in this Plan. Evidence has not been gathered from the local community.

Not effective – improvements likely not deliverable during plan period through lack of funding:

There is no clear strategy set out to fund improvements identified by 'monitor and manage' so as to make this strategy deliverable (see comments on para 8.11 below).

Such an approach will exacerbate an already unacceptable situation which is damaging to the health and prosperity of the area.

**Change suggested by respondent:**

A development/transport strategy needs to be formulated which provides a pathway to ensuring that requisite road improvements to address existing problems and accommodate new development can actually be funded and delivered within an appropriate timescale. This is the stated objective of para 8.6 of this plan which is then negated by this and other provisions in this Chapter.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Background, 8.10

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Traffic modelling undertaken in Transport Study uses base year of 2014 - pre-dates COVID pandemic and significant changes in work-travel patterns in subsequent years. Likely to result in significant over-estimation of traffic flows, acknowledged in report itself. Trip generation based on generic per dwelling basis without regard to sustainability/accessibility merits of locations within district. Acceptable for generic 'predict and provide' approach but mitigation based on bespoke 'monitor and manage' approach. Once it became apparent that mitigation required for 'predict and provide' approach could not be viably mitigated, new assessment should have been undertaken to look at specific characteristics of traffic generation within various locations within Southern Plan Area and the interrelationship with specific junctions on A27 - would have provided more accurate account of trip generation to define more targeted strategy for A27 junction improvements and other measures.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/snj>

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

## Object

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**Document Element:** Background, 8.11

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

If all the funding from housing development is going towards the upgrade of Fishbourne and Bognor roundabouts, about 45 million pounds as an upper estimate, and no funding of a similar magnitude is going towards low car neighbourhoods, cycle lanes and active travel, this policy is inconsistent with the rest of the local plan and therefore unsound

**Full text:**

If all the funding from housing development is going towards the upgrade of Fishbourne and Bognor roundabouts, about 45 million pounds as an upper estimate, and no funding of a similar magnitude is going towards low car neighbourhoods, cycle lanes and active travel, this policy is inconsistent with the rest of the local plan and therefore unsound

**Change suggested by respondent:**

50 percent of the CIL money, section 106 and other money raised from housing developers will be allocated to cycle lanes, low traffic neighbourhoods and measures that promote low emission travel. This may mean that schemes that are essential to improving car travel on the A27 will need to be delayed or scrapped

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 8.11

**Respondent:** Donnington Parish Council (Mrs Nicola Swann (Parish Clerk)) [888]

**Summary:**

Figure 7.4 Bognor Road and Vinnetrov Road Combined Concept scheme - insufficient detail.

Figure 7.7 A250 Cathedral Way/Fishbourne Road/Terminus Road proposed mitigation "Removal of existing traffic islands to facilitate all movement crossroad junction" compromises safe access to eg supermarket

Figure 7.3 No detailed figure of the Fishbourne roundabout mitigation itself. Figure includes Stockbridge Link Road which is NOT part of the submission as it is not funded.

If the transport assessment does not have correct diagrams, does this reflect a wider issue with the document not supporting the content of the Local Plan submission?

**Full text:**

Figure 7.4 Bognor Road and Vinnetrov Road Combined Concept scheme - insufficient detail.

Figure 7.7 A250 Cathedral Way/Fishbourne Road/Terminus Road proposed mitigation "Removal of existing traffic islands to facilitate all movement crossroad junction" compromises safe access to eg supermarket

Figure 7.3 No detailed figure of the Fishbourne roundabout mitigation itself. Figure includes Stockbridge Link Road which is NOT part of the submission as it is not funded.

If the transport assessment does not have correct diagrams, does this reflect a wider issue with the document not supporting the content of the Local Plan submission?

**Change suggested by respondent:**

7.4 does not show or explain the impact to Chichester/Bognor Cycle Path. Has the impact of sustainable travel been considered as part of the mitigation?

7.7 Impact on pedestrian safety should be considered and explained

7.3 Correct the figure and remove the SLR.

Revisit the Assessment for consistency with the plan

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 8.11

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.11 is incompatible with Chichester District Council's declared Climate Emergency.

Also, it does not make financial or economic sense. Active Travel infrastructure can be built at a fraction of the cost of motor vehicle infrastructure replacing the dominance of the car with people accessing what they need through active travel increases economic activity and provided active travel high enough quality continuous and direct to bus stops and railway stations, is key to increasing use of public transport.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>



**Document Element:** Background, 8.11

**Respondent:** Mrs Gabrielle Abbott [7919]

**Summary:**

Conditionality of delivery of improvements on monitor and manage and funding:  
is not justified given the already identified short-term need for A27 junction improvements  
Is not effective given the improvements identified are likely not to be deliverable during plan period through lack of funding

**Full text:**

The limited A27 junction improvements now proposed in this paragraph are stated to be subject to 'ongoing monitor and manage processes and funding'.

Not justified – not an appropriate strategy

Not effective – improvements likely not deliverable during plan period through lack of funding

In relation to the adoption of a 'monitor and manage' approach for problems which already exist and will inevitably be exacerbated by new development please see my comments on paragraph 8.10 above.

As to funding it is made clear in paragraph 8.12 that the whole cost of these works cannot be funded by developer contributions alone and no additional funding sources have been identified. Paragraph 8.21 indicates that the full amount of developer contributions will not in any event be received until all new dwellings provided for in the south of the plan area in the period up to 2039 have been supplied.

On the National Highways website page relating to the A27 Chichester Bypass it is stated that this section of the A27 'continues to suffer from high accident rates, daily congestion and excessive queuing at most of the junctions along this 5km stretch of road. With traffic due to increase by 24% by 2035 this situation will consistently worsen if there is no intervention'

Given that the requirement for these A27 junction improvements has already been recognised as an immediate need and will inevitably be exacerbated by future development conditionality on 'monitor and manage processes' and 'funding' does not provide an appropriate basis on which to proceed with further development.

<https://nationalhighways.co.uk/our-roads/pipeline-of-possible-future-schemes/a27-chichester-bypass/>

**Change suggested by respondent:**

A revised development/transport strategy needs to be articulated which will provide a pathway to ensuring that requisite road improvements to address existing problems and accommodate new development can actually be funded and delivered within an appropriate timescale.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 8.12

**Respondent:** James Rank [6661]

**Summary:**

The statement 'no additional funding sources have been identified.' implies all reasonable efforts have been made to identify those resources. No significant attempt has been made to secure funding from the DfT's Major Roads Network fund.

**Full text:**

The statement 'no additional funding sources have been identified.' implies all reasonable efforts have been made to identify those resources. No significant attempt has been made to secure funding from the DfT's Major Roads Network fund.

**Change suggested by respondent:**

CDC must coordinate with WSCC to have the A286 South of Chichester included in the Major Roads Network funding pipeline.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

WSPv2-2.pdf - <https://chichester.oc2.uk/a/q6>

## Object

**Document Element:** Background, 8.12

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

Not legally compliant because it is incompatible with the NPPF and has been acknowledged by the council's sustainability appraisal to be at risk of challenge. This is an unsound sticking plaster policy that does not provide necessary strategic infrastructure in a timely way given that the sustainability assessment stated (p33) "there is a clear and significant concern with higher growth scenarios, given the risk of an objection from National Highways on the grounds that the proposed monitor and manage' could be insufficient to avoid severe traffic congestion on the A27" It is not reasonable in light of policy A14, given that the number of new cars on the A27 would be equivalent to a queue stretching all the way from Westhamptnett to Fontwell (Calculation: 1,300 homes, 1.3 cars per household, each 4.3m long).

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

**Appendix 1: list of policies that I support**

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergencV"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversitV"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid rood damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS

to help cope with intense rainfall events

14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.

15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period

16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.

17, P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.

18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham, and north of the John Q Davis footpath in West Itchenor.

Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.

19. P96, Policy NE22 Air Quality

20. P97, Policy NE-23 Noise

21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity

22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"

23, P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.

24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats

25. P95, Para 4.129 The council has a duty to review and assess air quality within the district

26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

#### Change suggested by respondent:

The plan should be amended as follows:

8.12 The sustainability appraisal stated that capacity on the A27 is a major issue and there is a need to minimise A27 traffic as far as possible (para 5.2.23-5.2.24). It also stated that here is a clear and significant concern with higher growth scenarios, given the risk of an objection from National Highways on the grounds that the proposed 'monitor and manage' strategy could be insufficient to avoid severe traffic congestion on the A27. In order to avoid this objection the council will retain its existing approach to 'predict and provide' which forecasts the predicted growth in traffic and provides mitigation based on the forecast growth and will enhance this by identifying a package of potential highway improvements (including enhanced walking, cycling and public transport) which alongside schemes identified through the development management process, may be implemented. Given the significant increase in road congestion that would be created by building new homes in Tangmere before the introduction of necessary strategic infrastructure (e.g. a rail stop serving Tangmere and Oving) and significant investment to relieve congestion on the A27 which would be required to meet the NPPF requirements for sustainable development. Therefore the masterplan for the land to the west of Tangmere will be suspended until approvals and funding sources have been identified from public expenditure and developer contributions to provide this infrastructure in line with policy T1. Fishbourne Roundabout with the Terminus Road Link is estimated at between E9.5 and E12.9 million, and Bognor Road Roundabout with the Vinnetrov Road Link is estimated at between E1 9.4 and E30.4 million.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

Cover Letter - <https://chichester.oc2.uk/a/stj>

Para-1.17 - <https://chichester.oc2.uk/a/stk>

Para-1.25 - <https://chichester.oc2.uk/a/stz>

Para-2.54 - <https://chichester.oc2.uk/a/stm>

Para-3.14 - <https://chichester.oc2.uk/a/stn>

Para-4.16 - <https://chichester.oc2.uk/a/sty>

Para-4.32 - <https://chichester.oc2.uk/a/stp>  
Para-4.92 - <https://chichester.oc2.uk/a/stq>  
Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
Para-10.59 - <https://chichester.oc2.uk/a/s33>  
Para-10.60 - <https://chichester.oc2.uk/a/s34>  
Para-10.61 - <https://chichester.oc2.uk/a/s35>  
Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
Para-10.63 - <https://chichester.oc2.uk/a/s37>  
Para-10.64 - <https://chichester.oc2.uk/a/s38>  
Para-10.65 - <https://chichester.oc2.uk/a/s39>  
Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

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**Document Element:** Background, 8.12

**Respondent:** Mr Michael Wright [7848]

**Summary:**

Much of the traffic on the A27 "strategic Route" is not local. It is unreasonable for local residential low rise developments to fund substantial junction improvements to speed up strategic traffic.

**Full text:**

Much of the traffic on the A27 "strategic Route" is not local. It is unreasonable for local residential low rise developments to fund substantial junction improvements to speed up strategic traffic.

**Change suggested by respondent:**

If central government will not fund A27 improvements the proposed south of the A27 should not proceed unless there is a workable strategy to shift traffic onto mass public transport

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 8.12

**Respondent:** Mrs A Cobby [5712]

**Summary:**

Traffic on the A27 particularly at the Portfield Roundabout is already at high density, not just in rush hour times. Gridlocks occur on a daily basis as radio traffic reports will confirm. Exiting over the A27 at Meadow Way is dangerous due to volume and speed of traffic. Closure of Oving Road lights has further added to the problem for Tangmere residents driving into Chichester.

The proposed new number of houses could add over 1,500 cars to the area crating further gridlock on the A27 and increasing traffic to village road.

A solution would be to provide a rail stop at Tangmere, improve bus routes and add cycle paths.

**Full text:**

See representations

**Change suggested by respondent:**

- 1) Reduce number of houses which equates to less cars on already busy roads
- 2) Upgrade infrastructure i.e. improve bus routes, provide cycle paths, construct railway station.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Para-4.92 - <https://chichester.oc2.uk/a/s5f>

Para-8.12 - <https://chichester.oc2.uk/a/s5g>

## Object

**Document Element:** Background, 8.12

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

If no additional funding is available. The timing of these improvements will depend on the timing of development and will therefore be dependent on commercial decisions by developers. This is not a sound long-term strategy. Moving away from 'predict and provide' to 'monitor and manage' is a decision made because no additional funding sources have been identified. To build 10,350 homes in the plan area with no such certainty is leaving the A27 open to be being at gridlock constantly. It will become a car park with idling engines.

**Full text:**

If no additional funding is available. The timing of these improvements will depend on the timing of development and will therefore be dependent on commercial decisions by developers. This is not a sound long-term strategy. Moving away from 'predict and provide' to 'monitor and manage' is a decision made because no additional funding sources have been identified. To build 10,350 homes in the plan area with no such certainty is leaving the A27 open to be being at gridlock constantly. It will become a car park with idling engines.

**Change suggested by respondent:**

Reduced housing numbers.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

**Document Element:** Background, 8.12

**Respondent:** Mrs Gabrielle Abbott [7919]

**Summary:**

Monitor and manage:

Is not justified given the already identified short-term need for A27 junction improvements

Is not justified given the lack of evidence of participation of the local community

Is not effective given the improvements identified are likely not to be deliverable during plan period through lack of funding

**Full text:**

Not justified – not an appropriate strategy

Not justified – lack of participation of local community

In relation to the adoption of a 'monitor and manage' approach for problems which already exist and will inevitably be exacerbated by new development please see my comments on paragraph 8.10 above. Please also see the comments in that paragraph with regard to this change in policy and lack of evidence of participation of local community

Not effective – transport infrastructure improvements are not likely to be deliverable during plan period through lack of funding

The reason given for this approach is stated to be that the full cost of these works cannot be funded from existing funding sources. However proceeding with new development with no deliverable plan to provide the requisite highways improvements (before or after development) presents a very high level of risk to residents and business and the general prosperity of the area.

The plan provides no strategy as to how this risk can be managed so as provide a realistic way forward. Paragraph 8.5 of the Plan refers to the possible National Highways A27 improvement scheme which may or may not be confirmed. If this scheme does not proceed within the requisite timeframe what then? This issue is not addressed at all in the plan.

**Change suggested by respondent:**

A revised development/transport strategy needs to be articulated which will provide a pathway to ensuring that requisite road improvements to address existing problems and accommodate new development can actually be funded and delivered within an appropriate timescale.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Background, 8.12

**Respondent:** Mr Gary Axon [8150]

**Summary:**

This policy is not sound because the A27 is already at breaking point and tailbacks are an everyday occurrence - not just at peak times. The proposed scale of the development and the consequent increase in number of vehicles (possibly more than one car per household) will exasperate this. There has not been sufficient investment to cater for the existing traffic operation let alone the additional burden this proposed building will place on it. We have no alternative other than the 55 bus (a good service - but will not be able to cater for the additional volume of people). There is no rail option either.

**Full text:**

See representation

**Change suggested by respondent:**

A significant reduction in the scale of development or more the development to a more appropriate site (e.g. use brownfield sites not green belt or good arable farmland). Reduction will help to minimise the increase in pollution, air quality will be negatively impacted and noise will affect a recognised conservation area around the old Saxon church - so use more appropriate sites to build homes.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Paper submission - redacted - <https://chichester.oc2.uk/a/skm>

paper submission - redacted 2 - <https://chichester.oc2.uk/a/skn>

## Object

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**Document Element:** Background, 8.12

**Respondent:** James Hutchinson [8153]

**Summary:**

At peak times Google maps advises avoiding the A27 and going through the city when driving east/west from Tangmere. The bypass (built in 1930) and constantly modified is totally at maximum capacity. Building 1300 new home in the village [Tangmere] plus the existing work at Fontwell and proposed building at North Bersted will result in gridlock. This is without taking into account more building west of the city toward Havant. There has not been a rail link for Tangmere since 1962 and the 55 bus is expensive and has a very limited capacity and timetable.

**Full text:**

See representation

**Change suggested by respondent:**

Reduce building on green field sites. Use existing property, the spaces above shops in the city are dark at night. Use the existing green field sites, close to the city and thus less car use. Visit European cities where it is common and cheap to live centrally.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

James Hutchinson - redacted - <https://chichester.oc2.uk/a/szt>

## Object

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**Document Element:** Background, 8.12

**Respondent:** Mr Oliver Gale [8154]

**Summary:**

The plan is not sounds becuase it is biased towards housing as a single policy objective and is not consistent with the Area Transport Strategy (ATS). ATS 7.45 recognises the A27 as the only major route east to west. The development will add to congestion without plans to upgrade the route. Plans to bypass Arundel have already been put on hold. Tourist congestion during peak summer periods (ATS 7.50) make transport around the proposed development more congestion (attached, see p200)

**Full text:**

See representation

**Change suggested by respondent:**

Modification of the plan to reduce or cancel the development to avoid further traffic congestion.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

P11 Paper Submission - redacted - <https://chichester.oc2.uk/a/sz3>

T1 Paper submission - <https://chichester.oc2.uk/a/szv>

8.12 redacted - <https://chichester.oc2.uk/a/szb>

8.13 redacted - <https://chichester.oc2.uk/a/szc>

A14 redacted - <https://chichester.oc2.uk/a/szd>

NE5 Redacted - <https://chichester.oc2.uk/a/szw>

10.64 Redacted - <https://chichester.oc2.uk/a/szf>

A14 ORCHARD - redacted - <https://chichester.oc2.uk/a/szg>

## Object

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**Document Element:** Background, 8.12

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.12 the shift away from 'predict and provide is welcome', but monitor and manage is less bad, not good.as it still focuses on highway improvements with "(including enhanced walking, cycling and public transport)" an afterthought. Stating "The reason for this approach is that the full cost of the A27 junction improvements cannot be funded through contributions from new development alone" is indicative of the financial and economic fallacy of increasing road capacity, when the developer funding would be enough to fund active travel infrastructure that will provide far more sustainable access for the things people need locally helping to increase economic activity and help ease the Climate Emergency as well as providing better access to bus stops and railway stations where the things people need to access are not available locally.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>



## Object

---

**Document Element:** Background, 8.13

**Respondent:** Donnington Parish Council (Mrs Nicola Swann (Parish Clerk)) [888]

**Summary:**

Improvements to the A27 contentious locally. RIS 1 consultation in 2016 resulted in no consensus . Local Plan consultation 2018, generated significant feedback particularly regarding restricting local movements at key junctions and the Stockbridge Link Road, where the proposals were similar to those options robustly rejected in the RIS 1 consultation. No details provided on representative selection for TIMG, nor how local residents will be consulted on the delivery of any changes as part of the monitor and manage process. Could present an opportunity for circumventing legitimate local concerns and feedback on any proposals to be delivered under this group.

**Full text:**

Improvements to the A27 contentious locally. RIS 1 consultation in 2016 resulted in no consensus . Local Plan consultation 2018, generated significant feedback particularly regarding restricting local movements at key junctions and the Stockbridge Link Road, where the proposals were similar to those options robustly rejected in the RIS 1 consultation. No details provided on representative selection for TIMG, nor how local residents will be consulted on the delivery of any changes as part of the monitor and manage process. Could present an opportunity for circumventing legitimate local concerns and feedback on any proposals to be delivered under this group.

**Change suggested by respondent:**

Better explanation of the setup and selection of group members and clear detail around the accountability of the group to members of District and County Council and members of the public should be included in the Local Plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Background, 8.13

**Respondent:** Mr Oliver Gale [8154]

**Summary:**

The plan is not sound in that it is unsustainable in relation to transport links. WSCC ATS 7.47 recognises that rural bus services are not frequent and do not present an attractive alternative to private car use. ATS 7.46 describes rail transport as typically slow and uncompetitive with travelling by private car. There is no rails service within reasonable distance of the development [Tangmere] so traffic is likely to increase substantially with consequent impact on the environment.

**Full text:**

See representation

**Change suggested by respondent:**

Modification of the plan to reduce or cancel the development to a level consistent with public transport infrastructure capacity to protect the environment of the village [Tangmere].

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

P11 Paper Submission - redacted - <https://chichester.oc2.uk/a/sz3>

T1 Paper submission - <https://chichester.oc2.uk/a/szv>

8.12 redacted - <https://chichester.oc2.uk/a/szb>

8.13 redacted - <https://chichester.oc2.uk/a/szc>

A14 redacted - <https://chichester.oc2.uk/a/szd>

NE5 Redacted - <https://chichester.oc2.uk/a/szw>

10.64 Redacted - <https://chichester.oc2.uk/a/szf>

A14 ORCHARD - redacted - <https://chichester.oc2.uk/a/szg>

## Object

**Document Element:** Background, 8.13

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.13 Will not get the best outcomes unless includes active travel representatives e.g. Sustrans, and more importantly TIMG needs people with an understanding of access and what people need and different innovative ways of providing that access to move the focus away from a presumption that road transport is required to provide access. Need to change the mindset from people need to travel to people need access, then focus on providing access within local communities and to public transport where people need access unable to be provided within their local communities.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Background, 8.14

**Respondent:** James Rank [6661]

**Summary:**

The statement, 'There have not been any external sources of funding identified that would be able to deliver the scheme.' again implies efforts have been made to identify external sources of funding. Instead efforts have been made to remove potential external sources of funding.

**Full text:**

The statement, 'There have not been any external sources of funding identified that would be able to deliver the scheme.' again implies efforts have been made to identify external sources of funding. Instead efforts have been made to remove potential external sources of funding.

**Change suggested by respondent:**

CDC should insist WSCC seek to have the A286 South of Chichester reinstated (after WSCC requested it be removed in March 2017 see minute 4.9 WSCC Ref No: HI29 (17/18)) as a potential scheme for consideration for funding as part of the Major Roads Network. MRN funding should be sought before CDC can say with confidence full and thorough attempts have been made to identify and secure external sources of funding for the Stockbridge Link Road. The plan should state 'CDC will work with WSCC to promote the A286 South of Chichester for external sources of funding including within the Major Roads Network.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

280318hi29.pdf - <https://chichester.oc2.uk/a/q7>

A-Major-Road-Network-for-England-David-Quarmby-and-Phil-Carey-Rees-Jeffreys-Road-Fund-October-2016.pdf - <https://chichester.oc2.uk/a/q8>

A286 inclusion in the MRN.pdf - <https://chichester.oc2.uk/a/q9>

## Object

**Document Element:** Background, 8.14

**Respondent:** Mrs Clare Gordon-Pullar [7010]

**Summary:**

The "improvements" at Stockbridge/Whyke roundabouts will cause significant disruption. Residents will turn left and travel to either Bognor/Fishbourne roundabouts, generating more traffic on those roundabouts and roads. This is the "trigger" for the Link Road. Leave the roundabouts alone and then the Link Road is not needed. The Link Road will be an eyesore as it will be raised to go over the Canal, ruining the amenity of the Canal and blocking the view of the Cathedral painted by Turner. Traffic from the south will go through the narrow North Mundham road to reach the Bognor roundabout via Vinnetrow Road

**Full text:**

The "improvements" at Stockbridge/Whyke roundabouts will cause significant disruption. Residents will turn left and travel to either Bognor/Fishbourne roundabouts, generating more traffic on those roundabouts and roads. This is the "trigger" for the Link Road. Leave the roundabouts alone and then the Link Road is not needed. The Link Road will be an eyesore as it will be raised to go over the Canal, ruining the amenity of the Canal and blocking the view of the Cathedral painted by Turner. Traffic from the south will go through the narrow North Mundham road to reach the Bognor roundabout via Vinnetrow Road

**Change suggested by respondent:**

The proposed changes to the A27 should be removed from the plan. Reference should be made to the fact that local residents have already voted on these and rejected them. Given that there is little new development proposed for south of the A27, the Council should look at mitigation measures rather than building a new road or making junction improvements.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Background, 8.14

**Respondent:** Mr David Caldwell [7895]

**Summary:**

Looking for any existing potential plans for the Stockbridge Link Road mitigation scheme as this sounds like a potential solution.

**Full text:**

Looking for any existing potential plans for the Stockbridge Link Road mitigation scheme as this sounds like a potential solution.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Background, 8.14

**Respondent:** Fishbourne Parish Council (Parish Clerk) [915]

**Summary:**

Fishbourne Parish Council is most concerned that the Stockbridge Link road is still even being considered when its environmental impact on the area and the huge financial cost would be totally unacceptable. The effect this Link Road would have on Fishbourne and the A259 has also not been considered.

**Full text:**

Fishbourne Parish Council is most concerned that the Stockbridge Link road is still even being considered when its environmental impact on the area and the huge financial cost would be totally unacceptable. The effect this Link Road would have on Fishbourne and the A259 has also not been considered.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Background, 8.14

**Respondent:** Donnington Parish Council (Mrs Nicola Swann (Parish Clerk)) [888]

**Summary:**

Significant issues with delivery of the Stockbridge Link Road including:

- \*Building next to an AONB, SSSI, Ramsar site
- \*Link road would be intrusive/out of keeping with the area as it would need to be over 3m high to cross a flood plain
- \*Insufficient impact studies on consequences of building on the flood plain
- \*Impact on noise/air pollution considering prevailing south westerly winds
- \*Impact of road on biodiversity net gain target in local plan - removal of fertile farmland

**Full text:**

Significant issues with delivery of the Stockbridge Link Road including:

- \*Building next to an AONB, SSSI, Ramsar site
- \*Link road would be intrusive/out of keeping with the area as it would need to be over 3m high to cross a flood plain
- \*Insufficient impact studies on consequences of building on the flood plain
- \*Impact on noise/air pollution considering prevailing south westerly winds
- \*Impact of road on biodiversity net gain target in local plan - removal of fertile farmland

**Change suggested by respondent:**

Removal of plans for Stockbridge Link Road or much better assessment of the impact of the road before it is included in the Local Plan

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 8.14

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

This is an admission that the A27 will be completely beyond capacity and that there are no funding sources available to carry out the necessary improvements identified to avoid this. This is irresponsible and would leave Chichester residents trapped. Another impact will be the increasing use of 'rat runs' through residential or rural areas to avoid the gridlock.

**Full text:**

This is an admission that the A27 will be completely beyond capacity and that there are no funding sources available to carry out the necessary improvements identified to avoid this. This is irresponsible and would leave Chichester residents trapped. Another impact will be the increasing use of 'rat runs' through residential or rural areas to avoid the gridlock.

**Change suggested by respondent:**

Reduced housing numbers.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 8.14

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

This paragraph is an admission of the fact that the A27, due to contents of this Draft Local Plan, will not be able to cope. Honesty is to be appreciated but your district residents do not deserve to be the victims of this impossible situation. Minor roads and country lanes are already used by those who cannot have their journey times delayed. The 10,350 homes target must be reduced very significantly. Residents of the Shopwyke development cannot get out of their development at peak times to access the A27. The same will be the case for all the developments due to pouring impatient vehicles on to the A259 if 2,000 homes are built during the plan period. A serious rethink is needed to come up with more options.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable

homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to it long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number

should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Background, 8.14

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.14 Package of measures described are a waste of money. For less investment cost greater accessibility can be achieved by investing in active travel infrastructure to increase viability of local businesses, reducing the need for people to travel out of their local communities, and introducing bus priority measures to facilitate more better bus reliability, including better connectivity with the railway.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

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**Document Element:** Background, 8.14

**Respondent:** Mrs Gabrielle Abbott [7919]

**Summary:**

Not effective – does not provide sound transport infrastructure planning

Given that it is acknowledged that based on current forecasting junction improvements are required at Stockbridge Roundabout and Whyke Roundabout it is not clear how our highways system will be able to accommodate additional development without the requisite improvements being made here. This conflicts with the stated policy in paragraph 8.6 of the plan.

**Full text:**

Not effective – does not provide sound transport infrastructure planning

Given that it is acknowledged that based on current forecasting junction improvements are required at Stockbridge Roundabout and Whyke Roundabout it is not clear how our highways system will be able to accommodate additional development without the requisite improvements being made here. This conflicts with the stated policy in paragraph 8.6 of the plan.

**Change suggested by respondent:**

A revised development/transport strategy needs to be articulated which will provide a pathway to ensuring that requisite road improvements to these junctions are made so as to be able to accommodate new development .

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Background, 8.15

**Respondent:** Jenny Cole [7114]

**Summary:**

Oving Junction Please demonstrate that this is 'bus priority' as the buses now have to travel on the A27 given that they cannot go straight across the Oving Crossroads. This is unsound as the residents will have formed a habit of using the car to leave the estate and the buses will be economically unsustainable if this is ever sorted out.

**Full text:**

Re ; Oving Junction "it will been subject to mitigation and is designed to support bus priority". Please demonstrate that this is 'bus priority' as the buses now have to travel on the A27 given that they cannot go straight across the Oving Crossroads. The bus journey doesn't follow a route to pick up maximum passengers from the new estate, and in fact hasn't been implemented despite 4 years of occupied housing on Shopwhyke Lakes development, with the bus stops ready and waiting, but no buses to catch from the stops. This is unsound as the residents will have formed a habit of using the car and the buses will be economically unsustainable if this is ever sorted out.

**Change suggested by respondent:**

There is scope to further modify this junction to make a better bus priority junction. It needs to be seen holistically and not just a part of National Highways scheme to ensnare the south side of Chichester in barren roads.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None



## Object

**Document Element:** Background, 8.17

**Respondent:** Mr Michael Wright [7848]

**Summary:**

Rejuvenation of local bus services and connection to rail is urgently required. This probably cannot be achieved with low density scattered residential development

**Full text:**

Rejuvenation of local bus services and connection to rail is urgently required. This probably cannot be achieved with low density scattered residential development

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 8.17

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

Not sound because fails to evaluate sustainability appraisal (p89) statement: "important high level concern is the lack of a train station at Tangmere", and not legally compliant because TI contains no assessment of whether a train station between Barnham and Chichester could support sustainable development and provide necessary strategic infrastructure in a timely way. May be non-compliant with Duty to Cooperate as the statement of compliance indicates a failure to take reasonable steps to engage with ORR (p52), which is not justified and the Infrastructure Delivery Plan excludes any consideration of a rail station, so there is a lack of evidence proportionate to the issue.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergencV'
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity'
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversitV'
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
- 9, P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid rood damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people,

properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period

16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.

17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.

18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.

19. P96, Policy NE22 Air Quality

20. P97, Policy NE-23 Noise

21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity

22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"

23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.

24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats

25. P95, Para 4.129 The council has a duty to review and assess air quality within the district

26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

#### Change suggested by respondent:

Amend the plan as follows:

8.17 To redress the lack of response from the ORR in February 2019 and lack of any evidence of any other engagement (as noted in the Duty to Cooperate statement of compliance, page 52) the Council will make renewed efforts to engage with the ORR, Network Rail and train operators with the aim of gaining a firm commitment for the reinstatement of the train stop between Tangmere and Oving on the existing line. The council will work with these organisations and local stakeholders to facilitate improvements to the accessibility of railway stations and provision of new station stops and other strategic infrastructure to be available on a predict and provide basis. The council also works closely with bus operators to improve their services in and through the plan area.

Tangmere Station – site option 1 (preferred): Woodhorn Lane, access from Oving road. This is located approximately 1800m from the museum, with the benefit of adjacent land on both sides of the line and an existing level crossing. The site to the north of the track could repurposed for bus interchange, secure bike storage and bus station. Site access could be improved for pedestrian / cycle via a cost effective access to the disused airfield perimeter near the junction between Woodhorn Lane and Church Lane Oving.

Tangmere Station – site option 2: adjacent to Chichester Flood Relief Channel, access via Oving Road. This site has the benefit of existing structures at the side of the line and a disused agricultural property which could be reused for station facilities. This site also has space on both sides of the line. Train passing through the site shows that there is plenty of space for a full length station for services at this site.

\*\*See also annotated images provided within attached document\*\*

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Cover Letter - <https://chichester.oc2.uk/a/stj>

Para-1.17 - <https://chichester.oc2.uk/a/stk>

Para-1.25 - <https://chichester.oc2.uk/a/stz>

Para-2.54 - <https://chichester.oc2.uk/a/stm>

Para-3.14 - <https://chichester.oc2.uk/a/stn>

Para-4.16 - <https://chichester.oc2.uk/a/sty>

Para-4.32 - <https://chichester.oc2.uk/a/stp>

Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Background, 8.17

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

17 What is this going to deliver and when will it be delivered? What outcomes can residents expect? Shouldn't consultation already have been carried out with local transport providers? We need to have oversight of the negotiations with rail and bus operators The volume of housing proposed in this plan and the desire to move more and more people away from using their cars makes having an economic efficient and regular bus and train service an absolute necessity.

**Full text:**

17 What is this going to deliver and when will it be delivered? What outcomes can residents expect? Shouldn't consultation already have been carried out with local transport providers? We need to have oversight of the negotiations with rail and bus operators The volume of housing proposed in this plan and the desire to move more and more people away from using their cars makes having an economic efficient and regular bus and train service an absolute necessity.

**Change suggested by respondent:**

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**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Background, 8.17

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

This leads us to question exactly how much regular dialogue CDC has with essential transport providers. CDC must surely realise that without significantly improved rail and bus services, expansion cannot be achieved. District residents expect to be told on a regular basis the content and status of discussions with organisations such as Network Rail and Stagecoach. The housing numbers contained in this Draft Local Plan should be based on known (now!) deliverable improvements in train and bus services. The inference here is that CDC have not been doing this essential work and without efficient, regular bus and train services the dream will become a living nightmare.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
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6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
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Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

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12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Background, 8.17

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.17 Very welcome, and the standard required of the proposed accessibility to railway stations is outlined elsewhere within this consultation response.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Mrs Donna-Maria Thomas [7822]

**Summary:**

Objection to policy - should be moratorium on housebuilding until A27 road infrastructure upgrades are guaranteed and carried out.

**Full text:**

I am emailing as a member of the public who has been invited to make comments on the proposed new Chichester

District Council Local Plan.

Firstly, I have been invited to comment on whether the plan is legally compliant. With this in mind, I would question whether it is. I am aware that there is legislation which is designed to protect Chichester Harbour, namely, I believe, the Chichester Harbour Conservancy Act 1971. This legislation gives the Harbour Conservancy a duty to conserve, maintain and improve the harbour. In the proposed local plan it states:

"4.120. In February 2018 the Chichester Harbour designated Site of Special Scientific Interest (SSSI) was downgraded from 'Unfavourable – recovering' to 'Unfavourable – no change'. Further assessment during 2019/20 found that more than 3000ha of the intertidal parts of Chichester Harbour were now 'Unfavourable – declining'. A specific policy is therefore required to address this issue. Nitrates finding their way into the Harbour (from a variety of sources) cause algal growth which is harmful to wildlife. Although the proportion of total nitrogen originating from new development is very small, it is important that this source is addressed whilst other measures, such as catchment management, are undertaken to reduce other inputs and recover wildlife."

Concerning nitrate mitigation, I note that the South Downs National Park Authority (SDNPA) are not able to guarantee any further land to offset nitrates and this will impact the number of houses which can be built in the area. The SDNPA has made this clear in the letter they have submitted in consultation regarding Policy A11 (attached). There are, I believe, several proposed sites in the local plan which will need to be able to show they have nutrient neutrality and at present, they cannot do this. With this in mind, I suggest that it would be wrong to propose the site referred to in Policy A11 and any other sites where this matter applies.

In addition to the issue of nitrates, there is also the issue of water pollution which is blighting the harbour. Building over 10,000 new houses in the district is going to exacerbate both nitrate and wastewater pollution. A study by Chichester Clean Harbours Partnership (attached) shows that at five sites which were tested within Chichester Harbour, all failed tests for E.coli and Feral Streptococci levels which suggests water quality in the harbour is being impacted by the constant outflows of sewage which are happening across the thirteen outlets which Southern Water control and discharge directly into the harbour. Last year's data shows that Southern Water spent over 19% of the year releasing untreated sewage into the Chichester Harbour waters. This is evidence that Southern Water is either unable or unwilling to cope with treating the wastewater generated by the housing in the district so to propose 10,000 further houses with no guaranteed upgrades to the wastewater treatment seems ludicrous and a dereliction of the statutory legislation designed to protect the harbour. For these reasons I would question whether the plan can be judged as legally compliant.

The second area I have been invited to consider is whether the proposed plan is 'sound'. To this, I would suggest that there are so many contradictions between what the plan proposes and what is found in the National Planning Policy Framework (NPPF), other consultation documentation and the plan itself that I believe the plan cannot be found to be sound. As an example two examples referred to above:

Allowing building to go ahead on land without being able to guarantee nitrate offset brings the plan into conflict with itself. (Policies NE12, NE13, NE19)

To allow building to go ahead which is guaranteed to increase sewage outflow into the harbour brings the plan into conflict with itself. (Policies NE12, NE13, NE16, NE17)

The focus of most of the plan seems to be on providing housing. However, the NPPF makes it clear that house building needs to be sustainable and include infrastructure in order to meet the economic objective and that there is an environmental objective to be considered both of which I do not believe this plan is meeting.

The proposed local plan does not include any guaranteed upgrades to the strategic road network but does refer to the fact that the congestion on the roads is a major concern for the residents of the Chichester District. (Proposed Local Plan Point 8.3) I am aware that the strategic road network is an issue outside of the Council's control but again, to propose adding 10,000 plus housing to the area when they are aware of the serious congestion problem seems nonsensical, especially now in the light of the government removing mandatory house building targets.

The main issue the Chichester District seems to have is that within the boundary, there is a large percentage of land which is protected from development as SDNP and AONB land. What this plan seems to be doing is trying to cram 90% of the original government-proposed allocation of housing into 23% of the land in the district. It stands to reason that this will have a detrimental impact on the road network. In addition, Chichester District Council are aware that the major junctions on the A27 have been operating at capacity since the last local plan was written and in their transport assessment published in January 2023, they have made reference to the major junctions now all operating well over capacity (CDC Local Plan Transport Assessment 2039 Point 11.2.1) and have made reference to the fact that there has been no mitigation which was proposed in the previous local plan to most of the junctions (CDC Local Plan Transport Assessment 2039 Point 1.3.2). Therefore building more housing without guaranteed upgrades to the road network would seem both unfair to the residents and businesses who are already suffering the daily challenge of congestion and unethical in the light of the plan which contains several policies referring to minimising the climate crisis, reducing pollution and only allowing development which does not exacerbate congestion and road use. Once again this brings the plan into conflict with itself because the additional congestion is

going to impact both pollution in general and air pollution specifically (Policies NE20, NE22)

The NPPF suggests that there is a presumption in favour of sustainable development but I would argue that trying to fit too many houses into a small, already over-congested area, is not sustainable and does nothing to enhance the lives of people who already live in the area. Of the three objectives in the NPPF (economic, social and environmental) this plan only seems to address the social objective of providing more housing. It does not address the economic objective because of the strain building 10,000 further houses will create on already weak infrastructure. More importantly, it does nothing to address the environmental objective because it will increase pollution and exacerbate problems with the sewage network and the road network which already exist.

In conclusion, with reference to whether the plan is sound, I do not believe it can be judged as sound because, aside from contradicting itself and not fulfilling the objectives outlined in the NPPF as I have highlighted above, the plan is not taking into account local people's wishes. There have been several action groups set up and demonstrations against further

building in the area on the large-scale proposed here. Neighbourhood Plans have been completely disregarded and people in the area have genuine concerns about the impact of pollution on the harbour, the relentless building with no additional infrastructure and the detrimental impact of building on farmland and the implications for biodiversity and agricultural security as well as coalescence of our villages and strain on already overburdened resources such as doctors, schools and village shops.

I can speak concerning Policy A11 because this directly affects where I live but I will also try to highlight below other policies where I know the proposed sites conflict with what is in the neighbourhood plan and conflict with statements in the local plan.

Our neighbourhood plan has been ignored and the site proposed was the site deemed least suitable for development and conflicts with the statements in the local plan in the following ways:

- 1) The site is greenfield land and there is brownfield land available capable of being used for smaller-scale development (Burns Shipyard). This would appear to be the case with most of the proposed sites being greenfield land. (Policies A6, A10, A11, A12 A13 and A14). The NPPF states that where possible preference should be given to using brownfield land for development before allowing development on Greenfield or agricultural land.
- 2) The site is wholly outside of the Bosham settlement boundary which in the plan would define this as the countryside. The local plan states in Chapter 3, that development in the countryside should be 'restricted' to what is essential and meets the proposed needs as defined by policy NE10. The site chosen does not meet the criteria set in policy NE10 and proposing the site, therefore, puts it into contradiction with the plan.
- 3) The site proposed for Policy A11 is grade 1 and 2 productive agricultural land. The local plan states that it will seek to protect the best and most versatile agricultural land from large-scale, inappropriate or unsustainable non-agricultural development proposals that are not in accordance with the Development Plan. (Local Plan Point 4.8) However for the sites A1, A12 and A14 this does not seem to be the case. In the case of some of the land proposed from Policy A14, I believe the land has been compulsorily purchased from farmers. A large majority of the land proposed for development in the local plan is viable and productive agricultural land.
- 4) The site's overflow wastewater discharges from the Bosham outlet into the Bosham channel. This outlet has been the most compromised in 2022 and has discharged for the largest amount of hours out of all 13 outlets that discharge into Chichester Harbour.
- 5) The site proposed for Policy A11 has no proposed primary school provision. The local village school is at capacity and is unable to be expanded on its current site because there is no land available. Instead, the children from this proposed development will be expected to go to school outside of the village and this will inevitably lead to more cars on the roads as the proposed schools with places are not accessible by public transport or within walking/cycling distance. Again, this is a theme common to Policy A12.
- 6) The site proposed in Policy A11 suggests that the land is likely to suffer from groundwater and surface runoff flooding. The likelihood of flooding is greatest along the western boundary of the site which abuts the existing development of Brooks Lane. Brooks Lane already suffers periods of flooding. The NPPF says that new development should not increase the likelihood of flooding at existing developments.
- 7) The vehicle access to the A259 is via one vehicle access point only, which is likely to exacerbate air pollution at peak times with cars idling to access the A259.
- 8) The proposed additions to the village will be a fourth community hall, which there is no desire or need for and no end-user has been identified to maintain, allotments which were specifically proposed at the initial consultation and rejected as the least popular choice of an additional community facility and a mini football pitch which has been hastily added and squeezed onto the site of inadequate size and with inadequate parking provision to make it a usable asset.

For all of these reasons, I believe that the proposed local plan cannot be judged to be sound. There were several hundred objections to Policy A11 and I believe there would be true for most of the sites proposed. Our local neighbourhood plans have not been taken into account when producing this plan and this is against what is stated in the NPPF which suggests that Neighbourhood Plans give communities the power to develop a shared vision for their area. (NPPF Point 29)

The last area I have been invited to consider is if the proposed local plan meets the duty to co-operate. In this respect, I feel that the duty to co-operate seems to have been viewed as more a 'duty to consult' Whilst there has arguably been consultation between appropriate bodies and other local authorities, I do not believe the plan reflects the advice that has been given. Again, coming back to Policy A11 as an example the SDNPA, Chichester Harbour Conservancy, Southern Water and National Highways have all raised reservations about the proposed scale of development and the impact it will have on the Bosham area and local infrastructure. However, the reservations have not been heeded and the proposed development is still much the same as it was at the outset. Again, local plans have been ignored and local voices have not been heard. Whilst I am aware that the duty to co-operate is not a duty to agree, if every aspect of a consultation is ignored, I would argue this can hardly equate to co-operation.

In conclusion, I understand the importance of having a local plan and I understand the constraints that Chichester District Council is under due to the available land infrastructure constraints it faces which are largely outside of its control. However, because of the above, and that they have now been given the freedom to deviate from mandatory government house building targets, I would ask you to pay scrutiny to the number of houses in the proposed plan and recommend to Chichester District Council that they need to go back and rewrite the plan to reduce house building to a sustainable level of 23.5% of the government proposed allocation to reflect the percentage of land which is available in the district for development. I also recommend that there be a moratorium on further development in the district until the issues of water pollution by nitrates and sewage can be addressed and until there are the mitigation measures proposed in the transport assessment to allow for further house building.

**Change suggested by respondent:**

■ A moratorium on house building until wastewater and A27 road infrastructure upgrades are guaranteed and carried out.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/s3f>

Supporting Document - SDNPA Letter - <https://chichester.oc2.uk/a/s3g>

Supporting Document - CHP Newsletter - <https://chichester.oc2.uk/a/s3h>

**Object**

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Mr Michael Wright [7848]

**Summary:**

The stated conditions for new development are unrealistic and too vague.

For example: "Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages the use of sustainable modes of travel as an alternative to the private car and provides or contributes towards new or improved transport infrastructure;"

Based on planning consents to date and the planned scattered development sites this objective is going to be rarely met.

**Full text:**

The stated conditions for new development are unrealistic and too vague.

For example: "Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages the use of sustainable modes of travel as an alternative to the private car and provides or contributes towards new or improved transport infrastructure;"

Based on planning consents to date and the planned scattered development sites this objective is going to be rarely met.

**Change suggested by respondent:**

■ -

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object**

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

Not sound because there is a lack of strategic investment for transport infrastructure. The plan fails to evaluate the important concern that was contained in the sustainability appraisal (p89) statement: "important high level concern is the lack of a train station at Tangmere", and the plan is not legally compliant because TI contains no assessment of whether a train station between Barnham and Chichester could support sustainable development and provide necessary strategic infrastructure in a timely way.

The Infrastructure Delivery Plan excludes any consideration of a rail station, so there is a lack of evidence proportionate to the issue.

The plan is not compliant with Duty to Cooperate as the statement of compliance indicates a failure to take reasonable steps to engage with ORR since February 2019 and no response at that date (p52), which is not justified given the importance of the matter

Not sound because there was once a station stop on the line between Barnham and Chichester and there are several potentially suitable sites within a short distance of Tangmere which could be considered.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their



review on the aspects of the local plan that relate to this matter.

#### Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergency"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversity"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"
23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

Amend the plan as follows:

Policy T1: Transport Infrastructure

Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and encourage increased use of sustainable modes of travel, such as public transport, cycling and walking. The council will work with Network Rail, ORR, Southern Railways, National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure

Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities including new train stops on existing lines (e.g. for Tangmere). All development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help improve air quality, by:

- Avoiding or reducing the need to travel by car for journeys short and long;
- Enabling access to sustainable means of travel, including public transport, walking and cycling;
- Managing travel demand; and
- Mitigating the impacts of travel by car.
- Providing new station stops on existing train lines when large development is planned (e.g. Policy A14)

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

**Object**

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Mr Roger Weymouth [7888]

**Summary:**

Objection - no new roads proposed or traffic congestion mitigation. Object to proposed junction improvements. See full submission.

**Full text:**

I have read the plan, all of it, and the biggest thought that comes into my mind is that there appears to be very little promised...

What appears to be guaranteed/promised

Ten thousand odd dwellings squeezed into approximately 20% of the available land space.

What is not guaranteed/promised

No new roads or traffic congestion mitigation. The roads around Chichester and the surrounding areas are at capacity already and have been for some time, (Transport assessment Jan 2023) with the exception of the Covid lockdown period. My business involves engineers driving to visit customers in and around this area and a considerable amount of the working day is wasted in traffic congestion. At not an inconsiderable cost. For example, one of my engineers lives in Bognor Regis and what was a 35-minute journey to work - in Bosham - now takes 60 minutes. 60 minutes. More frequent flooding and closures of roads exacerbate this and the new Free school sited on Hunston Road, has compounded the

misery. Of course, these delays that everyone experiences only compound the pollution issue as well. This can only get worse with the additional promised housing in the area. Working in and around the area will be chaos.

No new sewage infrastructure is guaranteed for the foreseeable future.

Chichester Harbour and the streets of Bosham are regularly filled with sewage that overflows whenever there is rain. According to Southern Waters' own Beach Boy App data, there are regular non-stop discharges of Sewage into Chichester Harbour. There is nothing in the plan to stop this and Southern Water themselves say that they don't have the capacity to deal with the wastewater at present, let alone with another Ten Thousand houses built in the medium term. All the E.Cioli levels in the Harbour are already above acceptable levels as advised by the Environment Agency. Table enclosed - figures supplied by the Clean Harbour Partnership.

Attached is the document that explains this testing

No doctor surgeries

None planned

No new schools for the majority of these new housing developments

So despite the positive language of the Plan, there are no plans to provide any new schools for that area, except for the Tangmere proposed development. So in the absence of such plans, I have to ask where in the area are. I don't know about the availability of school places around the area except for Bosham and Chidham where there are none.

General observations

There don't appear to be many proposed developments for this housing on Brownfield sites. All the major developments in the area appear to be on Grade 1 and 2 agricultural land. Some of which, i.e. Highgrove Farm, which is outside the settlement boundary, appears against National Planning Policy Guidance and local opinion.

So in conclusion, this Plan appears to be solely a cash-generating exercise by Chichester District Council, with income derived from Section 106/CIL levies and forecasted Council Tax receipts, which gives no apparent regard, or only Lip Service, to the quality of life and areas of natural beauty for the existing residents and proposed new residents. It is not a really well thought out plan, not joined up at all with the needs and requirements of the local and separate Utilities and Government agencies such as Transport.

I am not against new housing generally. I'm sure there is a need for future generations and increased population in the County, But this cannot be allowed without all the other facilities that should come along with new housing. This Plan does not plan for that. If there is no funding available to upgrade these facilities, then I can't see how it is sensible to allow more new housing on this scale.

Yours sincerely Roger Weymouth

Dear all (Sent local councillors, responses removed)

I've looked at some possible "road improvements" notably one just outside Tesco which looks like there will be a possibility of multiway lights and a new junction but removing an existing one coming onto the roundabout from the industrial site. Just makes me wonder how much busier this junction will be if they feel the need to re-do the junction. I cannot see how a traffic light system will

improve anything and this strikes me as a case of trying to polish a turd. There will just be too much traffic because of ill-thought-out planning and too many new houses but minus the traffic network improvements required. I also read somewhere that a model or

something shows that if there are no improvements to this area, it will result in a 29-minute wait time at the Tesco roundabout for traffic coming from Bosham way at AM and PM peak times. 29 minutes! Are the planners trying to destroy the quality of life around these parts?

I do not hold much hope for real improvements to the road network, if, after any housing gets the go-ahead in this plan. I quote a paragraph from the Chichester District Council Duty to Co-operate Statement (May 2014). Item 3.10 it states "The Highways Agency is confident that the works on the A27 Chichester Bypass required to support development set out in the Local Plan can be delivered.

The Stantec Chichester District Council Local Plan Transport Assessment (Jan 2023) states:

- "The adopted Chichester Local Plan (LP) 2014-2029, included a set of mitigation measures at the 6 principal junctions along the A27 corridor. Although there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

So it seems that all this was promised back then and then shelved and the road network is now pretty much unusable on a daily basis, despite the promises of the Highways Agency. So we have a situation where we all try and bypass the Bypass

I would have thought that any new developments, roadworks etc are meant to be progress, or progressive. Not regressive to the local community and those of us who work in the area.

Perhaps there needs to be a moratorium on all new housing in the district until guaranteed measures are in place to improve the road network. This is not guaranteed in the plan. (Point 8.5)

#### Change suggested by respondent:

A moratorium on house building in the district until there are guarantees for suitable infrastructure upgrades to the A27 junctions and wastewater treatment.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:**

Weymouth attachment CHP Newsletter Jan 2023 final22383 (002).pdf - <https://chichester.oc2.uk/a/ss6>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

Emphasis in the plan is use of public transport or walking. Sites in policy A11 and A12 have no primary school capacity and have no room for expansion. Schools identified to serve these sites are not within walking distance or reachable by public transport. Among the schools identified as suitable for the A11 and A12 sites are Funtington, Compton and Up-Marden, Westbourne and Thorney Island. These schools do not have transport links and are not within walking distance of A11 and A12 sites.

**Full text:**

Emphasis in the plan is use of public transport or walking. Sites in policy A11 and A12 have no primary school capacity and have no room for expansion. Schools identified to serve these sites are not within walking distance or reachable by public transport. Among the schools identified as suitable for the A11 and A12 sites are Funtington, Compton and Up-Marden, Westbourne and Thorney Island. These schools do not have transport links and are not within walking distance of A11 and A12 sites.

**Change suggested by respondent:**

This brings the sites A11 and A12 into conflict with the monitor and manage approach which the Chichester District Council Local Plan Transport Assessment suggests and Policy T1. The monitor and manage approach is focused on moving away from use of cars as is policy T1. The developments at A11 and A12 will all involve car reliance for primary school pupils.

Policy A11 and Policy A12 should be removed from the local plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Mr Edward Bowring [7811]

**Summary:**

The A259 in Fishbourne is already at capacity, with tailbacks from A27 roundabout to the village at rush hour. The road simply can not take any extra traffic as it currently is. The A259 and Clay lane road surfaces are not maintained well enough for the current flow, let alone for the planned new development from Chichester to Southbourne. Our homes on the A259 already shake from passing large vehicles, especially when the A27 is shut. Trying to cross the A259 as a pedestrian with children is already dangerous enough.

**Full text:**

The A259 in Fishbourne is already at capacity, with tailbacks from A27 roundabout to the village at rush hour. The road simply can not take any extra traffic as it currently is. The A259 and Clay lane road surfaces are not maintained well enough for the current flow, let alone for the planned new development from Chichester to Southbourne. Our homes on the A259 already shake from passing large vehicles, especially when the A27 is shut. Trying to cross the A259 as a pedestrian with children is already dangerous enough.

**Change suggested by respondent:**

Only allow a number of new homes in line with what the current road network can handle and protect Chichester harbour AONB and wild life corridors from further pollution. For the roads to be better maintained before any new major development is permitted. To install 20mph zones for A259 villages and more pedestrian road crossings so people can cross safely. Consider alternative routes to the A259 when the A27 is closed.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Chichester and District Cycle Forum (Mr Ian Sumnall, Retired) [5361]

**Summary:**

No Statement of Common Ground has been agreed with neighbouring authorities and key statutory undertakers as required. e.g. National Highways. It is not sufficient to say this will be done in the future as many the large housing proposals require key infrastructure to be agreed in advance of development.

**Full text:**

No Statement of Common Ground has been agreed with neighbouring authorities and key statutory undertakers as required. e.g. National Highways. It is not sufficient to say this will be done in the future as many the large housing proposals require key infrastructure to be agreed in advance of development.

**Change suggested by respondent:**

Agreed Statements of Common Ground need to be agreed before the Draft plan is examined in public so that all parties can debate the practicality as well as the desirability of the key allocations. There are an absence of transport measures proposed, especially sustainable and active, to address the current levels of congestion, pollution and degradation of the environment.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

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**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Chichester and District Cycle Forum (Mr Ian Sumnall, Retired) [5361]

**Summary:**

Basically there is a lack of priority in the plan to sustainable and active travel modes. All funding seems to be based on highway improvements to the A27 to accommodate the anticipated increase in car trips with no mitigation and no certainty of infrastructure improvements occurring in line with land release.

**Full text:**

Basically there is a lack of priority in the plan to sustainable and active travel modes. All funding seems to be based on highway improvements to the A27 to accommodate the anticipated increase in car trips with no mitigation and no certainty of infrastructure improvements occurring in line with land release.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Outline case for Local Plan Objection on behalf of WSCF,CDCF and Sustransv2.docx - <https://chichester.oc2.uk/a/ssq>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

Over capacity at the Fishbourne roundabout was identified in 2014, there has been a massive increase in housing west of Chichester between 2014 and 2023 but no improvement to the roundabouts have been implemented to date. There is no guarantee that funding to improve the A27 or Fishbourne roundabout will be available within the timescale of the Plan. Congestion has been a problem since 2014 and this strategy does not offer a solution. There is a clear omission here that funding is not available to facilitate the improvements required to address the current and worsening congestion caused by future development.

**Full text:**

Over capacity at the Fishbourne roundabout was identified in 2014, there has been a massive increase in housing west of Chichester between 2014 and 2023 but no improvement to the roundabouts have been implemented to date. There is no guarantee that funding to improve the A27 or Fishbourne roundabout will be available within the timescale of the Plan. Congestion has been a problem since 2014 and this strategy does not offer a solution. There is a clear omission here that funding is not available to facilitate the improvements required to address the current and worsening congestion caused by future development.

**Change suggested by respondent:**

Public transport is not in the control of CDC and therefore it is not possible to guarantee improved and expanded services. The proposed the £7,728 charge per unit towards infrastructure is yet to be confirmed as legally compliant. Thus an even greater reduction in housing numbers to the Chichester area is required.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Domusea [1816]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

The policy objectives to ensure new development is well located and designed to avoid or minimise the need for travel and encourage the use of sustainable modes of travel as an alternative to the private car are supported. However, the proposed contribution of £7.7k per dwelling towards A27 highway improvements applies to new housing across the district even in the NE part of the district where impacts from development on the A27 will be less than developments in the south of the district.

In any event it is unclear how the contributions are justified when the responsibility for trunk road infrastructure improvements rests with National Highways.

The proposed contribution in T1 is therefore questioned and in our view, flawed. The level of contribution set out in the policy and the principle of a contribution will therefore require further testing at the forthcoming Examination.

**Full text:**

The 'tests of soundness' for Local Plan preparation are set out in paragraph 35 of the July 2021 NPPF. They require the 2021-39 Local Plan to have been:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

Local Plan reviews are a legal requirement every 5 years in accordance with Regulation 10A of the 2012 Town and Country Planning (Local Planning) (England) Regulations. The Regulation 19 Plan is not legally compliant as it has not been reviewed within 5 years of the last Plan adopted in July 2015. It is also disappointing that the failure of the current Regulation 19 Local Plan to meet objectively assessed need (OAN) of 638 dpa outside the national park has not been

properly evidenced in any up to date statement of common ground with neighbouring authorities with regards to the 'duty to cooperate'.

At this stage we believe the Plan as drafted therefore fails the positively prepared, effective, and consistent with national planning policy tests.

#### Duty to Cooperate

The 2014-2029 Local Plan adopted in 2015 does not meet the full objectively assessed housing needs for the area. But it did recognise that future proposals to improve the capacity of the A27 and wastewater treatment works could facilitate additional housing growth. For this reason, it committed the Council to a review of the Plan within five years to ensure that housing needs could be met. That undertaking to review within 5 years was not met.

In 2021 the Council invited an advisory visit from PINS to advise on how the present Local Plan should be prepared. The inspector advised that if the Plan was prepared which did not meet the full housing needs of the area, it would have to show that it had followed the duty to co-operate with neighbouring authorities in maximising the effectiveness of plan preparation.

The inspector said the Duty to Cooperate was therefore critical in the preparation of the Local Plan Review. At the time of the meeting, the council said discussions with neighbouring authorities had been carried out on the basis that the Local Plan Review would meet the full objectively assessed housing needs (OAN) for the area. However if this was not the case, the inspector said evidence of constructive, active, and on-going engagement to determine whether or not development needs could be met elsewhere would need to be shown. Importantly, the inspector said, 1) 'a failure to meet the Duty to Cooperate cannot be remedied during the examination process because it applies to the preparation of the Plan, which ends upon submission', and 2) local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before submitting plans for examination.

The Duty to Cooperate Statement of Compliance (January 2023) forms part of the evidence base for the Submission Local Plan. In the event, the Local Plan excluding the national park only provides for 575 dpa against an OAN of 638 dpa. However this under provision against need has not been justified anywhere in discussions with neighbouring authorities before the Plan was submitted. Appendix 1 of the Statement of Compliance lists those authorities that were consulted during the earlier Regulation 18 Preferred Approach consultation. Appendix 2 lists those authorities where Statements of Common Ground have been agreed with Chichester DC for the Regulation Submission 19 Plan. No statements have been produced or agreed. Therefore as it stands the under provision of housing against OAN in the Plan has not been justified. The failure to meet the duty to cooperate cannot be remedied because it has already ended with the Submission Plan. The plan therefore fails the positively prepared and justified tests. It also fails to comply with national policy in the NPPF paragraph 24-27 which advises on the duty to cooperate approach.

#### Local Plan Policies

The remainder of these comments deal with the proposed Settlement Hierarchy - policy S2, policy H1 – Meeting Housing Need, Non-Strategic Housing Sites – Policy H3 and T1 Transport Infrastructure.

#### Policy S2 – Settlement Hierarchy

The Settlement Hierarchy background paper prepared for the Regulation 18 draft Local Plan provides the justification for the hierarchy in Policy S2 of the Regulation 19 Local Plan. We agree that Plaistow & Ifold has been properly identified as a service village in the settlement hierarchy.

#### Policy H1 – Meeting Housing Needs

The identified housing need has been informed by the 2022 Housing and Economic Development Needs Assessment (HEDNA). It explains that based on the standard methodology, since the last HEDNA in 2020, the district wide housing need has increased from 746 dpa to 763 dpa (621 dpa in the Plan Area to 638 dpa) with the balance to be found in the national park. The proposed 638 dpa for the area of the district outside the national park is the figure that will be tested at the forthcoming Examination.

We have already explained why the failure of the Council to plan for the 638 dpa in the Regulation 19 Local Plan has not been justified in connection with the duty to cooperate and no evidence has been presented in any statement of common ground with neighbouring authorities to show how development needs could be met elsewhere.

We note from policy H1 that the components of housing supply include outstanding housing commitments without planning permission from the 2015 adopted Local Plan, the Site Allocations DPD, and 'made' Neighbourhood Plans. However, it is unclear how the above housing supply components have been calculated and how they have translated into the strategic and non-strategic allocations in policies H2 and H3.

In the case of Plaistow and Ifold, the last adopted 2015 Local Plan identified the settlement with an allocation of 10 dwellings. The subsequent Site Allocation DPD identified land north of Little Springfield Farm for 10 no. units. A Neighbourhood Plan for Plaistow and Ifold was produced but was withdrawn and no site allocations were confirmed. The allocated site north of Little Springfield Farm remains undeveloped.

With specific reference to Plaistow & Ifold we would therefore query whether 1) the existing housing commitments without planning permission in the 2015 Local Plan and the Site Allocations DPD have been double counted, and 2) whether the non-implementation of the 10 units from the 2015 Local Plan have been ring fenced to count against the new

proposed allocation of 25 dwellings at the settlement? In which case, we would question why a further 15 dwellings are only proposed at a service village in the hierarchy compared to other service villages in the NE part of the district which are proposed for higher levels of development (Loxwood 220 dwellings, Kirdford 50 dwellings and Wisborough Green 75 dwellings).

If the 25 dwelling allocation at Plaistow & Ifold is intended to be additional to the 10 units identified in the last 2015 Local Plan, then the allocation should be increased to 35 dwellings as a minimum to reflect the non-implementation of the 2015 allocation.

**Policy H3 – Non-Strategic Parish Allocations**

Policy H3 identifies non-strategic parish allocations. We have explained above our queries with the 25 dwelling allocation to Plaistow & Ifold, whether it has allowed for the non-implementation of the 10 units in the last 2015 Plan and why it compares so unfavourably with much higher levels of development for the other service villages in the NE part of the district.

We would also query why the options outlined in the PINS advisory visit of 2021 have not been more thoroughly tested for increased housing provision in the north part of the district to increase the supply of housing to meet OAN. There is no updated Settlement Hierarchy background paper, and the revised housing distribution has not been justified anywhere in the evidence base for the Regulation 19 Local Plan.

**Policy T1 – Transport Infrastructure**

The policy objectives to ensure new development is well located and designed to avoid or minimise the need for travel and encourage the use of sustainable modes of travel as an alternative to the private car are supported. However, the proposed contribution of £7.7k per dwelling towards A27 highway improvements applies to new housing across the district even in the NE part of the district where impacts from development on the A27 will be less than developments in the south of the district.

In any event it is unclear how the contributions are justified when the responsibility for trunk road infrastructure improvements rests with National Highways.

The proposed contribution in T1 is therefore questioned and in our view, flawed. The level of contribution set out in the policy and the principle of a contribution will therefore require further testing at the forthcoming Examination.

**Change suggested by respondent:**

The proposed per dwelling contribution to improvements to the A27 infrastructure has not been properly justified when the responsibility for trunk road infrastructure rests with National Highways. The policy requires further testing at the forthcoming Examination.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Domusea Reg 19 - <https://chichester.oc2.uk/a/sf5>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]

**Summary:**

WSCC previously requested proposed highways mitigation schemes within Chichester City be replaced by sustainable transport improvements to comply with West Sussex Transport Plan 2022-2036. Limited modification made to proposed schemes. Suggestion at paragraph 7.3.2 (transport study) that costs for schemes be reallocated to sustainable transport improvements which are not specified - helps to explain how sustainable transport infrastructure schemes/measures can be partially funded. Rare schemes will be fully funded using developer contributions. Funding not only issue to be overcome to secure delivery of schemes and measures. Still gaps in information, consider unlikely schemes will be fully funded using developer contributions, delivery of schemes will be partially dependent on securing funding from central Government or other sources. IDP fails to identify scheme-specific requirements for additional funding/overall scale of additional funding required. Level of information on sustainable transport package insufficient to demonstrate deliverability of credible and coordinated sustainable transport package of improved infrastructure and services. Insufficient evidence to be compliant with Paragraphs 11 and 106 of NPPF.

**Full text:**

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

**Transport Overview**

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to



demonstrate that it is deliverable as part of the monitor and manage process; and

3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.

The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

#### Deliverability of Key Infrastructure

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

#### Sustainable Transport Infrastructure & Measures

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes

2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

#### Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

#### 1) Education

##### Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments, ...'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

#### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

#### 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

#### 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

#### 4) Highways and Transport

##### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

##### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

##### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing

traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

#### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

#### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as

school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

#### 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

#### Change suggested by respondent:

Request further technical work is undertaken to develop schemes and measures in sustainable transport package prior to the examination. Focus on:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for village serving development areas of Southbourne Parish
4. Improving cycling connectivity to link built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all severely impacted A27 junctions have a reasonable prospect of being physically improved in Plan period, more investigation into potential public transport enhancements also required, particularly to strengthen routes that cross bypass. May require further amendments to the IDP.

Work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>

Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]

**Summary:**

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

**Full text:**

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

**Transport Overview**

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.

The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

**Deliverability of Key Infrastructure**

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

**Sustainable Transport Infrastructure & Measures**

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does

help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

#### Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

### 1) Education

#### Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments, ...'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

#### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

### 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

### 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

### 4) Highways and Transport

#### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to



bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

#### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

#### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

#### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

#### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated

for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

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It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>

Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Ms Lindsay Davey [7844]

**Summary:**

I consider this policy not to be sound. The A27, its junctions and surrounding/connecting roads are already congested and will become more so with the proposed increase in the population and hence car owners/users.

The plan gives no defined or confirmed road infrastructure development nor funding/investment to enable action to reduce the detrimental impact of the proposed massive increase in populus in Tangmere and its surrounding area.

To 'monitor and manage' is not appropriate to deal with the predicted issue of congestion.

Air pollution and noise pollution will increase.

Tangmere is the largest planned high order settlement hubs (13% of total Local Plan housing - see p284 housing trajectory) and has no close proximity rail station., unlike proposed developments at Southbourne, Nutbourne and Fishbourne.

**Full text:**

See representation

**Change suggested by respondent:**

The 'monitor and manage' strategy needs to be removed and become 'predict and provide' the emphasis being on the 'provide' being secured, which would assist in easing the predicted road congestion issues.

A railway station needs to be developed and built for the Tangmere area to improve easy access to rail travel for the increased population and this encourage alternative travel used.

To reduce the massive number of proposed new housing units to be built in and around the Tangmere area where there are already severe known traffic congestion issues, particularly at junctions and roundabouts that feed in and out and around Chichester and its surrounding.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Para-8.12 - <https://chichester.oc2.uk/a/s5j>

Para-8.13 - <https://chichester.oc2.uk/a/s5z>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Ms Lindsay Davey [7844]

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**Full text:**

See representation

**Change suggested by respondent:**

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To reduce the massive number of proposed new housing units to be built in and around the Tangmere area where there are already severe known traffic congestion issues, particularly at junctions and roundabouts that feed in and out and around Chichester and its surrounds.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Para-8.12 - <https://chichester.oc2.uk/a/s5j>

Para-8.13 - <https://chichester.oc2.uk/a/s5z>

## Support

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** John Newman [8169]

**Summary:**

I like Policy T1 - I wish that I could believe it will really happen!

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Mr Cliff Archer [8026]

**Summary:**

Support

**Full text:**

Support

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Manhope (Mr Carey Mackinnon) [8125]

**Summary:**

It is sufficient for us to say that if it was recognised that mitigating measures were required to cater for the huge increase in developments then it follows that the absence of such mitigation should halt completely such development. That is just pure logic.

Everyone who lives, works, uses or visits the WMP knows that having left behind the A27 they have not left behind the traffic problems. The obverse has become the "new norm" with the most minor hold up, such as refuse lorry, slow moving device or minor road works causing substantial delays and queues sometimes up to eighty vehicles long. The system whereby WSCC highways review the impact of planning applications is dysfunctional.

This is evidenced by WSCC highways department being unable to provide accurate feedback to the LPA as to the ACCUMULATIVE impact of very large developments. The modelling simply does not allow it and there is no scope for actual local experience or common sense. In not one case of over twenty applications for ten or more houses have they even flagged a cautionary note about this accumulative impact.

**Full text:**

Manhope is a local interest group and represents more than 500 residents and users of the Western part of the Manhood Peninsula (WMP); the part of the district at greatest risk from climate, travel and infrastructure challenges.

Our sole purpose is to protect the unique character of the Western Manhood Peninsula by opposing inappropriate and unsustainable large building developments before the necessary infrastructure is actually in place.

We are not sufficiently au fait with the policies to be able to use the clause by clause "speech bubble" approach to comment. Therefore, our response is by way of email as suggested by our MP, Gillian Keegan in her letter to residents in February this year.

We understand that only three topics are open for comment in respect of the proposed Local Plan submission.

1. Is the submission legally compliant?
2. Is the submission 'sound'?
3. Does the submission comply with the Duty to Cooperate?

We are not qualified to comment on either 1. or 2. so these comments will address the question of whether the proposed submission is sound.

Chichester District Council has, quite rightly in our opinion, placed no demands for further large developments in the WMP apart from windfall sites. In our opinion even these should NOT be approved until the caveats shown in our Conclusion are implemented.

The following subjects have been well aired so we will not dwell on them in great detail but will summarise them as follows.

Transport.

The transport network serving the CDC area is already unable to cope at peak times and groaning at most other times. The A27 frequently gets headline recognition and from a strategic national point of view rightly so. The various arguments are again well rehearsed elsewhere especially from other local interest groups such as MPAG, SOSCA and the Harbour Trust and we support their submissions in this respect.

It is sufficient for us to say that if it was recognised that mitigating measures were required to cater for the huge increase in developments then it follows that the absence of such mitigation should halt completely such development. That is just pure logic.

Everyone who lives, works, uses or visits the WMP knows that having left behind the A27 they have not left behind the traffic problems. The obverse has become the "new norm" with the most minor hold up, such as refuse lorry, slow moving device or minor road works causing substantial delays and queues sometimes up to eighty vehicles long

The system whereby WSCC highways review the impact of planning applications is dysfunctional.

This is evidenced by WSCC highways department being unable to provide accurate feedback to the LPA as to the ACCUMULATIVE impact of very large developments.

The modelling simply does not allow it and there is no scope for actual local experience or common sense. In not one case of over twenty applications for ten or more houses have they even flagged a cautionary note about this accumulative impact.

For example many - actually most - accidents are not reported so the West Sussex Accident Location Map so this source often used by planners and developers to demonstrate how safe our local roads are, is dangerously misleading. Many life changing injuries have been sustained and known about by local people in the WMP but virtually none of these appear in "formal records"

Flooding.

Because of the low lying and vulnerable southern part of the district the findings and implications of the CDC Level 1 Interim Strategic Flood Risk Assessment (December 2022) need to be fully understood by parishes, councillors and local residents before comments of any real value can be made. We asked five elected or formally appointed local representatives and not one felt they had a full grasp of the SFRA's implications and only one had a fair understanding.

We do know that the risk of significant flooding has increased. We also know that even before the SFRA was published the West Sussex County Council Lead Local Flood Authority gave a thumbs down to two of the large applications B 21/01830/OUT in Birdham and EWB22/02214/FULEIA.

CDC have recognised that the Manhood Peninsula has specific challenges including flood risk hence the zero requirement for housing in the WMP. In this respect we think the submission is probably just sound enough and hope that this approach filters through to decisions for applications yet to be determined.

However, to be certain of real soundness the work needs to be completed BEFORE implementation. Please see our notes under "Conclusion" Sewage.

There can be no doubt that this subject must impact whether the submission is sound or not. The arguments are complex and lengthy but two basic simple facts remain.

1. The main sewage plant for the Manhood Peninsula is Southern Waters Siddlesham WWTW. This plant is a couple of metres AOD and yet planners, the EA and developers argue as to whether four or five meters is an appropriate floor level on new developments. Hardly a sound approach when the treatment works will have been inundated well before even a three metre threshold will have been reached. One example of these discussions can be seen at E 22/03125/OUT for 100 houses

2. Southern Water have a policy of deploying large road tankers when heavy rain is forecast to standby local sewage points as there is a high risk of the system being overwhelmed. Frequently the drivers have to stay in their cabs all night.

Yet Southern Water are obliged to advise the LPA that they can deal with the additional load from huge new developments. Neither CDC nor the Inspector can solve the sewerage infrastructure issues but the above facts raise serious doubt as to the soundness of the submission. Please see our further notes under "Conclusion"

Conclusion.

Manhope recognise the real imperative of having a local plan in place and is appalled that the system has resulted in a colossal amount of work for the LPA and yet still a disastrous delay in getting this in place let alone full and proper consultation with parishes and local people. Further delay in the submission of the local plan is therefore wholly unacceptable so our uncomfortable is that the submission, whilst barely sound, is as sound as it can be and should go forward BUT with some very clear caveats. Our suggestion for these are shown below.

A. No new developments of ten or more dwellings shall be commenced until suitable mitigating road improvements to the A27 are in place.

- B. No new developments of five or more dwellings shall be approved by the LPA until the following reports, work and maps have been completed and due consultation has taken place with residents & parishes, (in line with the latest government approach to restoring local democracy).
- Environment Agency flood maps based on the Interim SFRA (December 2022) have been completed.
  - Sewage infrastructure work as yet unknown in Southern Waters upcoming Asset Management Period to be in place before any development of 5 or more dwellings are approved.
  - Full and proper engagement with NHS as to practical limits on health demands as a result of new housing developments especially on the Manhood Peninsula. NHS's advice was ignored by CDC and a planning inspector for a 70 house development (WW/20/02491/OUT) so they have not responded to further consultation requests. Vis EWB 22/02235/OUT and EWB 22/02214. This cannot be allowed to happen again.

C. Insert a policy in the submission that CDC planning reserve the right to apply their discretion in planning decisions when consultees provide advice that is contrary to public and parish experience. If Where formally submitted local and Parish advice given in their written response to planning applications is not aligned to other consultees then take the Parishes advice. To avoid using this discretion is not consistent with exercising a duty of care.

D. A policy written in the final submission to assemble a consortium of stakeholders to conduct a full survey as to the condition of Pagham Harbour. The scope would cover impacts on marine and land-based environments from chemical, micro plastic and sewage contamination of the harbour and it's immediate coastline. Stakeholders would include Natural England, Environment Agency, CDC, Southern Water and the R.S.P.B. It is highly likely that Pagham Harbour is traveling a parallel downward path as Chichester Harbour in terms of condition but no stakeholders are paying this anything like the attention it deserves.

**Change suggested by respondent:**

No new developments of ten or more dwellings shall be commenced until suitable mitigating road improvements to the A27 are in place.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

Manhope Response to Local Plan Submission - <https://chichester.oc2.uk/a/shv>

## Support

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green, a village that relies upon private cars.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green, a village that relies upon private cars.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Hunston Parish Council (Carol Smith, Parish Clerk) [1096]

**Summary:**

Hunston Parish Council is concerned as to whether the traffic management proposals are workable.

**Full text:**

Hunston Parish Council is concerned as to whether the traffic management proposals are workable.

Hunston Parish Council notes that the reality of climate change and the impact on the area are not adequately addressed.

Hunston Parish Council is concerned that the housing standards for any new build do not meet PassivHaus standards or equivalent. There is no mention of solar panels for example.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Mrs Gabrielle Abbott [7919]

**Summary:**

The objection relates to Criterion 7 in respect of which the same comments apply as for para 8.12 above

**Full text:**

The objection relates to Criterion 7 in respect of which the same comments apply as for para 8.12 above

**Change suggested by respondent:**

See my comments on paragraph 8.12 above

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

---

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]



**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Issues to resolve]

A27 improvements are necessary to increase capacity to accommodate current traffic levels, committed development and development allocated in the current local plan. The proposed Local Plan allocations will further exacerbate current issues.

Consent for the A27 Chichester bypass improvements project cannot be assumed. The potential use of Compulsory Purchase powers to deliver the scheme should be addressed.

National Highways will continue working with CDC and WSCC to progress interim mitigation measures and alternative transport measures while a long-term strategic solution is considered. This must be in combination with a robust monitor and manage policy/strategy.

The monitor and manage approach must address risk of unacceptable road safety impacts. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken.

There is insufficient evidence that funding, partners, and relevant processes are in place to enable the delivery of infrastructure. Nor is there a realistic prospect that longer term investment can be secured within the timescales required.

We seek clarity on the role and remit of the TIMG.

The Plan does not appropriately acknowledge that all housing and employment development generates demand which may create additional SRN impacts; it unclear how developments will mitigate their own impacts.

Sustainable transport initiatives to supplement highway improvements are not evidenced in the Plan and so assumptions and assessment cannot be made.

National Highways seeks:

a. evidence that Council and WSCC have:

- an understanding of current and future pressures and constraints in the transport system;
- identified when and where there is spare capacity;
- strategies to redistribute demand to where there is spare capacity

b. the application of robust strategies, policies, and initiatives to;

- manage travel demand more enduringly;
- mitigate the impact of additional traffic generation;
- ease recurring congestion;
- better deal with planned or unplanned special events and tourism seasons;
- support delivery of normal operations.

c. to understand;

- what initiatives would be most appropriate for proposed developments;
- when and where initiatives would be delivered;
- how they would be funded;
- who would ultimately be responsible for the delivery of initiatives.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan

- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-Io.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-Io.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

## Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

## Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

## National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

## Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At

present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

Recommends that a Travel Demand Management approach should be evident to:

- remove journeys using alternative or different ways to travel (re-mode);
- retime journeys to avoid peak or seasonal demands (re-time);
- reroute journeys to less congested roads (reroute);
- reduce the need to travel and unnecessary [journeys] (reduce).

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Seaward Properties Ltd [7119]

**Agent:** Smith Simmons Partners (Paul White) [7650]

#### Summary:

The policy objectives to ensure new development is well located and designed to avoid or minimise the need for travel and encourage the use of sustainable modes of travel as an alternative to the private car are supported. However, contributing to a multi modal shift away from the use of the private car will take traffic off the A27 and yet this hasn't been recognised in the policy. We therefore object to the funding arrangements for A27 improvements based on the proposed per dwelling contribution. In any event it is unclear how the contributions are justified anyway when the responsibility for trunk road infrastructure rests with National Highways.

As noted in the viability assessment forming part of the local plan evidence base, the cumulative impact of the contribution alongside other policy requirements concerning water neutrality, nitrate neutrality, biodiversity net gain, solent recreation mitigation and CIL will impact on the overall viability of a development and could result in the loss of affordable housing. This is another reason why the proposed contribution in T1 is questioned and in our view, flawed.

#### Full text:

See attached representation.

#### Change suggested by respondent:

The proposed per dwelling contribution to improvements to the A27 infrastructure has not been properly justified when the responsibility for trunk road infrastructure rests with National Highways. The policy should be deleted.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Seawrd Reg 19 - <https://chichester.oc2.uk/a/sfm>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

The locations and level of housing will not minimise the need to travel by car. The A27 improvements need to be in place before the housing before it becomes impossible to travel and the climate change targets are breached. Public transport requires increased capacity, infrastructure and frequency which will need considerable investment. Is this going to be provided by Southern Rail and Stagecoach? Where is the collaboration? The West Sussex Bus Plan does not address how this will happen. There is too heavy a reliance on developer contributions for all aspects of travel, including local networks and active travel.

**Full text:**

The locations and level of housing will not minimise the need to travel by car. The A27 improvements need to be in place before the housing before it becomes impossible to travel and the climate change targets are breached. Public transport requires increased capacity, infrastructure and frequency which will need considerable investment. Is this going to be provided by Southern Rail and Stagecoach? Where is the collaboration? The West Sussex Bus Plan does not address how this will happen. There is too heavy a reliance on developer contributions for all aspects of travel, including local networks and active travel.

**Change suggested by respondent:**

.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Deerhyde Limited [7657]

**Agent:** Vail Williams LLP (David Ramsay, Partner) [8134]

**Summary:**

The phasing of delivery of new development to align with provision of new transport infrastructure such as improvements to the A27 and elsewhere on the highway network, will be key to managing impacts on the highway. This is yet another impediment to the delivery of a strategic allocations and larger scale development which would, by their very nature, generate a higher highway impact on the transport network than carefully planned smaller developments which could satisfy a much more localised need and be cause less impact on the strategic road network.

The lack of soundness to the approach of significant reliance on strategic sites, due to the current lack of capacity of the A27, is evident in the text that accompanies the policy which states that opportunities to secure funding to implement this package of improvements will be maximised by working proactively with Government agencies, other public sector organisations and private investors. Developer contributions from new development will also be sought. It is clear that smaller scale developments which would have a significantly lesser impact on the highway network could deliver housing quicker and with fewer constraints to implementation. It is for these reasons that smaller sites should be allocated, particularly in the Manhood Peninsula, for development.

**Full text:**

I am pleased to attach our representations in response to the Chichester Local Plan Regulation 19 consultation. These representations are submitted on behalf of our clients Deerhyde Ltd. owners of land in Selsey and located in the area for a significant number of years.

The submitted documents include the following:

- Representations statement
- Plans showing the potential road widening of Golf Links Lane and Paddock Lane, Selsey
- Development potential of sites for residential development at Golf Links Lane and Old Farm Road, Selsey taking account of flood zones 2 and 3 (2 plans 15-085 SK03 and SK04)
- Plans showing access options to Golf Links Lane site
- Plan showing tracking analysis for low-loaders
- Junction analysis
- Submission form

As detailed in the attached, after careful consideration we have concluded that the housing strategy for Chichester is flawed in principle as it fails to allocate sufficient sites in outside Chichester City (or adjacent to) to allow the remainder of the District to continue to provide houses for local people in areas where they are most needed.

In addition, our clients have put forward a suggestion for an infrastructure improvement to Selsey – namely the widening of Golf Links Lane and Paddocks Lane to accommodate delivery of caravans / other HGV / LGVs but also to provide a wider carriageway which could potentially incorporate a pavement / footpath cycleway to aid safer conveyance of

pedestrians and vehicles in the area. Adding in a safer highway solution would also encourage car users to walk or cycle for local trips rather than risking congestion in the car. It would have the added benefit of diverting caravan park traffic travelling from the north into the caravan parks earlier and thus relieving congestion of Selsey High Street.

## Introduction

1.1. Vail Williams LLP has been instructed by Deerhyde Ltd to submit representations to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) document.

1.2. As per the Website, these comments seek to address the three questions namely:

1. Is it legally compliant?
2. Is it sound?
3. Does it comply with the duty to cooperate?

1.3. These representations are largely focussed on the provision of housing and ensuring that a satisfactory access (both vehicular and pedestrian) can be maintained and enhanced, particularly in Selsey.

1.4. These representations reflect the fact that our client, Deerhyde Ltd, owns a significant amount of land in the Selsey area, an interest which was acquired in 1986 but with family ownership going back many years before then.

1.5. Our clients have identified a potential opportunity to facilitate highway improvements within Selsey which would be to the benefit of both residents and tourists using the holiday parks and other attractions alike. This would particularly be of benefit given the Council's acknowledgement that the B2145 through Selsey is the busiest B road in the country. These representations bring into question the 'tests of soundness'. In particular regarding the questions as to whether it is 'sound' on the basis of whether it has been 'positively prepared', whether it is 'justified' and 'effective' in respect of the areas of concern raised with respect to employment land provisions.

1.6. As set out at Paragraph 35 of the NPPF local plans are required to be 'sound'. Plans are considered sound when the following applies:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>1</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy<sup>2</sup>, taking into account the reasonable alternatives<sup>3</sup>, and based on proportionate evidence<sup>4</sup>;
- c) Effective – deliverable over the plan period<sup>5</sup>, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.<sup>6</sup>

1.7. These representations seek to highlight that Chapter 5 (Housing) has not been positively prepared, in so far as it does not provide [1.] "a strategy which, as a minimum, seeks to meet the area's objectively assessed needs".

1.8. It is also considered that Chapter 5 is not justified as the housing strategy is [2.] is inappropriate as it relies on a number of large strategic sites, with multiple issues some of which are in conflict with other parts of the local plan.

1.9. Chapter 5 is also not justified with respect to its provisions do not [3.] take into account reasonable alternative sites.

1.10. It is considered on the basis of the other factors highlighted in these representations and the proposed housing land provision is not 'consistent with national policy' as the proposed provision does not enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant. It is considered that the proposed plans are contrary to the NPPF paragraph 16a, 16b, 16c, 16d and paragraph 20a

## 2 Local Plan Representations

2.1. Having reviewed the draft Local Plan we would make the following comments:

2.2. Paragraph 3.1 asserts the Government's encouragement for local planning authorities to ensure sustainable development is at the forefront when considering planning applications and that the National Planning Policy Framework (NPPF) defines sustainable development as "meeting the needs of the present without compromising the ability of future generations to meet their own needs". Paragraph 3.5 goes on to advise the range of factors as are informed the spatial strategy which underpins the local plan which, inter alia, "the pattern of need and demand for housing and employment across the area", "infrastructure capacity and constraints, in particular related to waste water treatment, roads and transport", "the availability of potential housing types, their deliverability and phasing" and this needs to take place whilst being mindful of the environmental constraints taking a sequential approach to avoiding flood risk areas, protect the environmental designations, landscape quality, the historic environment and settlement character.

2.3. The principles outlined above are supported as these are the key facets of good planning and plan making. However it falls to local authorities to ensure that the sustainable approach includes providing a sufficient supply of homes and facilitating a variety of sites to come forward where needed, and that the needs of groups within specific housing

requirements are addressed and that land with permission is developed without unnecessary delay. (Paragraph 65). Paragraph 66 states that within the overall requirement [for housing] strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.

2.4. Paragraph 67 goes on, where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take account of factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

2.5. Paragraph 68 asserts that strategic policy making authorities should have a clear understanding of the land available in their area through the preparation of a Strategic Housing Land Availability Assessment (SHLAA). From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and locally economic viability.

2.6. Further guidance states (Paragraph 69) that small and medium sized sites can make an important [my emphasis] contribution to meeting the housing requirements of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites the local planning authority should identify sites of small and medium size and support the development of windfall sites through their promises and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes.

2.7. Neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites suitable for housing in their area. Paragraph 71 goes on: where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the SHLAA, historic windfall delivery rate and expected future trends.

2.8. Whilst it is noted that the delivery of large scale sites can result in the delivery of large numbers of new homes, it is apparent that such developments take considerable time to work their way through the planning system to an approval and even then are only at outline stage. The delivery of new homes is therefore reliant on the Councils to efficiently determine reserved matters applications and, thereafter, discharge of conditions, to allow a swift implementation of planning applications and a timely start on site for the delivery of housing.

2.9. The inclusion of small and medium sites (ie. not reliant on strategic sites) within the housing mix are invaluable in delivering housing quicker and potentially in places, perhaps outside the main settlements, which would allow new housing to be accessible to all which is one of the key facets of the NPPF.

2.10. This approach would assist with maintaining delivery of housing where existing allocations are either stalled or progressing slowly through the planning system or have simply been delayed in coming forward for perhaps other commercial reasons.

2.11. The plan is largely predicated on strategic sites, as detailed at Policy H2 which would provide 7,195 houses. This is a significant reliance on the strategic sites to deliver 75% of the overall housing target and much of them are predicated on the works to the A27 being completed in order to make them acceptable.

2.12. It should be noted that the above housing provision is predicated on the ability to identify mitigation for the impacts on the European environmental designations (including nutrient neutrality), addressing highway implications and negotiating the planning system.

#### The Manhood Peninsula

2.13. The preferred approached version of the Local Plan does include moderate growth for the settlement hubs of Selsey (250 dwellings) and East Wittering (350) and the service village of Hunston (200). However, since then several planning permissions have contributed to the moderate levels of growth on the Manhood Peninsula which the Council says has accounted for these housing numbers. The plan does not therefore include any strategic allocations on the Manhood Peninsula in recognition of this recently permitted growth and the ongoing constraints the area faces, save for 50 dwellings to come forward at North Mundham.

2.14. This approach is not considered sound as a reason to prevent development of any scale on the Manhood Peninsula (particularly Selsey) for the plan period. As detailed above, it is essential that the plan allocates land across its settlement hierarchy in order to maintain a sustainable and deliverable approach to development and to assist the continuing evolution and economic viability of settlements which rely heavily on tourism and also on new development to maintain the supply of homes to provide options for all sectors of the local community to be able to live on the Peninsula should they so wish.

2.15. It is noted that at Policy S2 (settlement hierarchy), Selsey is listed as a "settlement hub" which is the second tier of settlement under Chichester city. Whilst this hierarchy, particularly in connection with Selsey is supported it is therefore surprising not to see more housing sites allocated within and around Selsey.



2.16. Given the potential number of environmental constraints on the Manhood Peninsula it is unlikely that sites of any excessive size would come forward and large numbers of dwellings would not necessarily result once the sites had taken account of their environmental constraints. That said, and as reflected above, sites of a size proportionate to their location but below "strategic" size can have an important part to play in the delivery of sufficient housing numbers in the right location at the right time in accordance with the NPPF.

#### Housing

2.17. Policy H1 (meeting housing needs) sets out the housing requirement for the full plan period of 1 April 2021 to 31 March 2039 as 10,350 dwellings. This allocates 963 dwellings to the Manhood Peninsula and a windfall (small site allowance) allocation of 657 dwellings for the whole district. There are no strategic locations/allocations on the Manhood Peninsula under Policy H2 which is considered unsound, particularly given the position that Selsey holds in the settlement hierarchy. Furthermore, under Policy H3 (non-strategic parish housing requirements 2021-2039) Selsey has been allocated zero housing. Again, this is considered unsound as it prevents sustainable development and access to new houses for all settlements across the district.

2.18. An overreliance on consented sites coming forward to provide future housing is considered unsound as, in this case, it effectively prevents any further development on the Peninsula and in Selsey in particular.

#### Transport

2.19. Policy T1 (transport infrastructure) is specifically aimed at ensuring that integrated transport measures will be developed to mitigate the impact of planned development on the highway network, improve highway safety and air quality, promote more sustainable travel patterns and encourage increased use of sustainable motor travel, such as public transport, cycling and walking.

2.20. The council will work with National Highways, WSCC, other transport and service providers and developers to provide a better integrated transport network and improve accessibility to key services and facilities. The policy lists seven ways in which the key objectives of reducing the need to travel by car, enabling access to sustainable means of travel, including public transport, walking and cycling; managing travel demands; and mitigating the impacts of travelling by car can be achieved.

2.21. Whilst it is not intended to go through all of these in this document it is noted that all parties are expected to support the four objectives by working with relevant providers to improve accessibility to key services and facilities which would be relevant to Selsey (see below).

2.22. The policy is also aimed at planning to achieve a timely delivery of transport infrastructure on the A27 and elsewhere on the network which is needed to support new housing, employment and other development identified in this plan. The phasing of delivery of new development to align with provision of new transport infrastructure such as improvements to the A27 and elsewhere on the highway network, will be key to managing impacts on the highway. This is yet another impediment to the delivery of a strategic allocations and larger scale development which would, by their very nature, generate a higher highway impact on the transport network than carefully planned smaller developments which could satisfy a much more localised need and be cause less impact on the strategic road network. The tariff proposals outlined at paragraph 8.20 only covers part of West of Chichester and Tangmere SDLs and not the other strategic sites outlined at Policy H2.

2.23. Critically it is also understood that Highways England has pulled funding for the improvements to the Bognor Road roundabout as part of a package of A27 improvements. On this basis it is unclear how further funding would be secured at this time.

2.24. The lack of soundness to the approach of significant reliance on strategic sites, due to the current lack of capacity of the A27, is evident in the text that accompanies the policy which states that opportunities to secure funding to implement this package of improvements will be maximised by working proactively with Government agencies, other public sector organisations and private investors. Developer contributions from new development will also be sought. It is clear that smaller scale developments which would have a significantly lesser impact on the highway network could deliver housing quicker and with fewer constraints to implementation. It is for these reasons that smaller sites should be allocated, particularly in the Manhood Peninsula, for development.

2.25. The content of Policy T2 (transport development) is largely supported and considered sound save for the fact that it does not seem to cover the improvement of local transport routes, particularly those that would assist in improving the circulation of traffic around smaller settlements. The policy should be amended to specifically relate to local transport improvements which are locally important to aid traffic circulation and reduce congestion.

#### Neighbourhood Plan

2.26. The Selsey Neighbourhood Plan does not seek to allocate any sites or residential development, instead relying on

those which were allocated in the previous local plan and, in particular, developments at Park Farm/Middle Field and Drift Field totalling 249 houses. It is assumed that this existing commitment accommodates the neighbourhood plan of 150 houses which is the justification for not allocating of residential development in the neighbourhood plan. However, this is short sighted as the neighbourhood plan runs to 2029 and, although development sites are largely controversial within smaller communities there is a lack of recognition of the requirement to provide new houses for existing and future residents (including descendants of current residents) in order to maintain the vitality and viability of the settlement outside of the tourist season where it is recognised that the local population will swell.

2.27. These points add further weight to the considered lack of soundness to the housing policies in the local plan which fail to recognise the need for smaller allocations within the Manhood Peninsula, particularly Selsey.

### 3 Local Infrastructure Provision

#### Selsey Road Improvements

3.1. Our clients wish to put forward a potential highway improvement scheme for Selsey which has come about given their extensive historic knowledge of the town and experience of significant congestion along Selsey High Street as a result of an over-reliance of this route by traffic using the caravan parks. It would be a common sense alternative route (to using High Street) which will alleviate congestion along Selsey High Street/School Lane/Paddock Lane/Warners Lane, particularly during the summer months.

3.2. The local plan focusses its attention on the need to improve the strategic highway network but this proposal would provide a significant benefit at a local level in Selsey. As per the attached plan, our clients propose to widen Golf Links Lane from its junction with the B2145 Chichester Road to its junction with Paddock Lane, then widen Paddock Lane and make it up to adoptable standard to enable delivery of holiday traffic to the point where it meets the north eastern corner of White Horse Caravan Park, from which point the road has been made up to carry holiday traffic. At the moment, the northern section of Paddock Lane is just a rough track which is not suitable for ordinary road traffic. It is envisaged that, in conjunction with the owner of the largest caravan parks, Warner's Lane will also be improved. It is currently a tarmac road in poor condition with no footways and one section is too narrow to allow two vehicles to pass each other. This is not satisfactory for the major access route to the largest caravan parks.

3.3. Golf Links Lane is currently a single track, tarmac road which is in poor condition. It is two-way but much of it is too narrow to allow two vehicles to pass each other. It serves Northcommon Farm, a small housing development on the northern side, Selsey Golf Club and Selsey Country Club (which comprises c.300 holiday chalets and an associated licensed club). If it were to be made up to adoptable standard to the point where it meets Paddock Lane, it would improve access for existing users but, importantly, it would also create a more direct access route (in conjunction with Paddock Lane) for traffic associated with thousands of holiday caravans as well as a touring caravan park.

3.4. Given that a large proportion of holiday traffic and other tourist industry-related traffic (HGVs carrying food and drink, caravan transporters, tractor/trailer transport and public transport) use the route along High Street/School Lane/Paddock Lane/Warners Lane it is considered that this could be diverted from the B2145 Chichester Road further north than Selsey High Street, thus taking traffic away from the congested High Street. An easier, more direct route to the major caravan parks would be an attractive alternative.

3.5. The mechanism to deliver such a proposal is not yet the subject of formal agreement. A large proportion of the land required to widen the roads is within the ownership of Deerhyde Limited (our clients) and the owner of the major caravan parks. The latter has been very supportive of the proposal verbally. A short section of land is not in any specific ownership but our clients have long-standing rights over its use, which can be traced back to 1830. Our clients are serious about facilitating these highway improvements, including the use of their land, which will inevitably have a significant financial impact upon them.

#### Potential Residential Development Sites

3.6. In order to mitigate the financial impact including both the loss of their land and the implementation of the proposed highway improvements our clients would like to promote two sites for residential development, namely land north of Golf Links Lane (13.5 acres/5.46 hectares) and land west of Old Farm Road for residential development. Whilst the north western corner of the site is located within Flood Zones 2 and 3 it is considered that the developable area of the site would be approximately 4 hectares and could therefore deliver approximately 120 to 140 dwellings. This includes retaining the existing boundary screening along the south eastern boundary and avoiding Flood Zones 2 and 3. An indicative plan is attached to this statement.

3.7. Thawscroft Ltd, an associated company, also owns land west of Old Farm Road, Selsey (2.8ha / 6.9 acres) which taking account of the flood risk constraints along its western boundary could accommodate approximately 50 dwellings. An indicative plan is attached to this statement.

3.8. Having reviewed the planning history of the site it is noted that a planning application (under the name of Thawscroft Limited) was made in December 2016, refused in June 2017 and the appeal was dismissed on 11 June 2018.

### 3.9. The reasons for refusal related to the following:

1. Site is located outside the defined settlement boundary for Selsey.

2. When the planning officer was giving evidence, he stated that he knew of an alternative site at lower risk of flooding but he would not identify it. After the appeal, an area of land north of Park Lane was identified for 250 houses. The land in question becomes waterlogged in the winter and is highly prone to surface water flooding. It is also only about 250m from Pagham Harbour, a site of major ecological importance with a significant level of protection afforded to it. The planning officer said the real issue with our appeal was one of numbers so it seemed curious to me that a site with a much larger number (250) was identified soon afterwards. Also, the land south of Park Lane (similarly prone to surface water flooding) was in the numbers for 2015/20 but in fact could not be started until 2021 so the planning inspector was misled. I believe that was crucial to the outcome. Landlink have proposed land west of the "Wave" roundabout (opposite Asda). This may be as an alternative for the land north of Park Lane. Neither parcel would be a good fit in the settlement policy area, whereas the land to the west of Old Farm Road would be, a fact acknowledged by planning officers in the past.

3. We did in fact offer to provide contributions towards improving the A27 so that reason for refusal was withdrawn prior to the appeal being heard.

4. As far as I can recall, the Council was content with our proposals in these matters at the time the appeal was heard. The criticism was that the need to avoid Flood Zones 2 and 3 created a narrow site which meant that the layout was said to be cramped. It could be that, with a smaller number of houses, MH Architects could provide an improved layout. Maybe this is reflected in the plan to which Vail Williams refer in paragraph 3.13.

3.10. It is considered that, as detailed above, given the Council's approach to an over-reliance on large strategic sites to fulfil its housing need and the lack of sites identified for development on the Manhood Peninsula (and in Selsey in particular) during the plan period this site could be proven to be an appropriate location for development as a "windfall site" to help maintain housing supply whilst the strategic sites are in the planning system.

3.11. It is considered the dwellings on the site could be laid out to avoid the Flood Zones 2 and 3 and therefore be at considerably less flood risk than the proposal which was dismissed at appeal. This is set out in the enclosed plan. This would overcome reason for refusal 2.

3.12. Reasons for refusal 3 and 4 would be overcome through the agreement of under Section 106 of the Town & Country Planning Act to provide contributions towards the improvement to the A27 on a proportionate basis to the size of the site and the number of dwellings and also the relevant number of affordable housing units required by policy (or justified as part of a viability exercise). Other matters such as the management of the landscaping, open space, buffers and drainage infrastructure could also be secured by the Section 106 agreement.

3.13. We commend the above highways solution and subsequent development sites to officers in consideration of the draft Local Plan.

## 4 Conclusions

4.1. It is clear that whilst the overarching strategy of the location of the majority of development in the largest urban settlement of Chichester or adjacent to it is sound the lack of allocation of significant housing numbers to those areas outside Chichester is unsound. This would mean that the vast majority of the district would attract very little housing over the planning period to 2039 thus ensuring that existing settlements would not evolve and would potentially shrink as existing residents and descendants of residents migrate to the Chichester or its strategic urban extensions.

4.2. Outside Chichester, the strategic proposals for Southbourne and Tangmere are similarly isolated. The Manhood Peninsula is particularly lacking in the provision of additional housing sites during the plan period with the justification provided that, for Selsey in particular, recent planning permissions which are being built or have been completed would accommodate all of the housing need going forward for the plan period.

4.3. This approach is flawed for two main reasons (making the Local Plan unsound):

1. The over-reliance on strategic allocations which themselves are constrained by the capacity issues on the A27 and environmental issues such as nitrate neutrality (and any future water neutrality issues which migrate south from the north of Chichester) and the usual impacts on the European sites could mean that these sites are slower in being delivered with little in the way of alternatives allowed for in the local plan.

2. The failure to acknowledge any future development potential of note within the Manhood Peninsula and in particular Selsey will constrain the continued vitality and viability of the settlements within the Manhood Peninsula, particularly following the pandemic when the service sectors are struggling. Taking into account that Selsey in particular but other settlements along the coast within the Manhood Peninsula are reliant on seasonal tourist activity, additional residents are relied upon outside these times in order to provide income for those businesses which may struggle to survive outside the holiday seasons. An effective block on development would significantly reduce the potential future viability of

these settlements outside the tourist season.

4.4. The emphasis on the stated urban-focussed housing strategy encourages neighbourhood planning groups/parish and town councils to maintain an opposition to the relevant rather than a proactive policy framework to direct appropriate development within their areas.

4.5. Our clients have detailed above one way which their land could be used in conjunction with others to facilitate a local infrastructure improvement to assist traffic circulation and access in and around Selsey itself which would need to be funded by future residential development and we commend this proposal to you for further consideration.

4.6. We trust that officers will take these representations into account and we look forward to receiving confirmation that the representations have been duly made.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Local Plan Reg 19 Representation Form - Chichester Local Plan - <https://chichester.oc2.uk/a/sjm>

15-085\_SK03\_Image - <https://chichester.oc2.uk/a/sjy>

22-0360 SK02 - Potential Site Access Option 2 - <https://chichester.oc2.uk/a/sjq>

22-0360 sk03\_DRAFT - Potential Site Access - Paddock Lane - <https://chichester.oc2.uk/a/skr>

22-0360 SP01\_DRAFT - Paddock Lane - SPA Inbound - <https://chichester.oc2.uk/a/sks>

22-0360 SPP02\_DRAFT - Paddock Lane - SPA Outbound - <https://chichester.oc2.uk/a/skt>

23 01 03\_22-0360\_TFD - <https://chichester.oc2.uk/a/sk3>

23 01 04\_B2145-Golf Links Lane - <https://chichester.oc2.uk/a/sk4>

15-085\_SK04\_A.pdf - <https://chichester.oc2.uk/a/spc>

Representations to the Chichester Local Plan - March 2023 - Deerhyde Ltd -

<https://chichester.oc2.uk/a/spd>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Sarah Sharp [6437]

**Summary:**

The Sixth Carbon Budget published by the Committee on Climate Change envisages that a reduction in traffic will be needed. This plan fails to put any suggestions forward to reduce traffic. <https://www.theccc.org.uk/wp-content/uploads/2020/12/The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf>

We need to reduce total car miles by 2050 by 17% and I do not believe this plan has the detail and methods to effectively decarbonise surface transport enough. Due to lack of Compulsory purchase orders, lack of funds, landownership issues some of the vital routes needed for residents to travel sustainably won't be delivered in the plan period.

**Full text:**

The Sixth Carbon Budget published by the Committee on Climate Change envisages that a reduction in traffic will be needed. This plan fails to put any suggestions forward to reduce traffic. <https://www.theccc.org.uk/wp-content/uploads/2020/12/The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf>

We need to reduce total car miles by 2050 by 17% and I do not believe this plan has the detail and methods to effectively decarbonise surface transport enough. Due to lack of Compulsory purchase orders, lack of funds, landownership issues some of the vital routes needed for residents to travel sustainably won't be delivered in the plan period.

**Change suggested by respondent:**

The plan needs to set out ways and means to reduce motorised traffic that are achievable and realistic. The walking and cycling projects need to be properly funded and achievable.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Arun District Council (Kevin Owen) [7587]

**Summary:**

Arun District Council is concerned that Chichester District Council's Regulation 19 Local Plan Policy T1 Transport Infrastructure is not effective and should account for the cross boundary mitigation contributions and remove the uncertainty over how cross boundary contributions towards schemes such as Bognor Road and Whyke road roundabouts will be pooled to other A27 mitigation solutions such that there are no adverse implications for delivering committed developments in Arun (e.g. West of Bersted, Pagham North and South).

**Full text:**

Arun District Council (ADC) is concerned that the proposed Policy T1 Transport Infrastructure is not effective or justified. Subject to ongoing Duty to Cooperate discussions with Chichester District Council (CDC), ADC hopes to resolve these matters with a view to securing a Statement of Common Ground and subsequent withdrawal of these objections before the plan is submitted:-

- The infrastructure constrained approach delivering only the two scheme improvements on the A27 at Fishbourne and Bognor roundabouts (delivering reduced housing numbers), and the potential cross boundary impact with additional mitigation scheme costs and uplift from ADC planned and committed development (e.g. West of Bersted) - uncertainty over ADC developments (i.e. West of Bersted, Pagham North and South) and their contributions towards A27 mitigation improvements e.g. A27 Whyke Road Roundabout;
- The strategy is silent about cross boundary future growth assumptions (e.g. Arun) that may assist with A27 capacity. This may cap A27 capacity and ADC's future plan making and developments unviable because of the need for additional improvements;
- A259 safety schemes in Arun at Comet Corner and Oystercatcher are accommodated in Chichester's infrastructure constrained development strategy approach up to 2039 without significant adverse impact and need for cross boundary mitigation. However, Arun would also wish to see this demonstrated for any additional development scale above the infrastructure constrained approach (575 dwelling per annum) to Chichester's full housing requirement over the plan period to 2039 and whether any cross boundary mitigation provision would be needed within this policy.

**Change suggested by respondent:**

Chichester District Council's Regulation 19 Local Plan Policy T1 Transport Infrastructure should account for the cross boundary mitigation contributions and remove the uncertainty over how cross boundary contributions towards schemes such as Bognor Road and Whyke road roundabouts will be pooled to other A27 mitigation solutions, such that there are no adverse implications for delivering committed developments in Arun (e.g. West of Bersted, Pagham North and South). The policy or supporting text (e.g. paragraph 8.11) should also clarify whether any additional housing achieved via the monitor and manage approach above 575 dwellings per annum will safeguard against potential adverse cross boundary implications (e.g. on the A259 at Oystercatcher and Comet corner junctions in Arun) and how necessary mitigations would be phased/triggered with additional housing.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** John Newman [8169]

**Summary:**

I like Policy T1 - I wish that I could believe it will really happen!

Inadequate public transport to support aim to reduce reliance on private car; insufficient funding/inadequate infrastructure to support active travel, although cycle parking provision is good; park and ride scheme suggested; concern expressed re; cyclists safety in relation to road infrastructure and speed of cars; desire for 20 mph limit in the city, public transport hub at railway station.

**Full text:**

See attachment.

**Change suggested by respondent:**

Park and Ride; 20 mph limit in city centre; public transport hub at railway station

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

For all the reasons already cited, this Policy is not only unsound it should have been sorted before the Local Plan was put out for consultation.

The locations and numbers of new homes proposed will not reduce the need to travel by car. In fact, the opposite. The A27 improvements must be in place before all these new homes. Public transport requires increased capacity, frequency, improved infrastructure and obviously substantial investment. How and when will Southern and Stagecoach deliver this? The West Sussex Bus Plan does not, we believe, deal with this issue. As a community, we should not be reliant upon developer contributions to make our everyday lives work. Developers build houses. They have no regard for anything else other than the profit they achieve once homes have been built.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to it long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need

no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it’s rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands



do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Paghams and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered

matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 "Preferred Approach" consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable "new normal" post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively. The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

"Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...

...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health..."

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

"Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment."

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to "Net Zero" that "The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment."  
Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 "Strategic Infrastructure" includes the following statement:

"To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable

delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across

Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to "predicting and providing" for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to "offices", in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to "monitor and manage" is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of "gridlock". The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the ‘Five Villages’ area in Arun District.” We unequivocally endorse this conclusion. Realising a “game-changing” level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective,

robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be “enhanced” and “reinforced”.

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District’s mobility and accessibility needs.

### 3.2. Policy S2 Settlement Hierarchy

#### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:



- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
  - Improve service frequencies and extend hours of operation.
  - Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.
- The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in

the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan’s spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

## 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific,

defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to "roll forward" this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of "zero-sum" game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous "predict and provide" approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that "shared mobility" – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this "cars first" approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester "This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone." This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-

operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core raison d’être.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide

effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the

first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

...”

### 7.3. Policy T2 Transport and Development Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan’s own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan’s Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.



Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery

of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

- (v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate,

improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of

travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and

unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ...

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the

aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...  
10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,  
..."

#### 9.5. Policy A7 Land at Shopwhyke

##### Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

" ...  
12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

" ...  
9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;  
..."

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

" ...  
5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public

transport routes;  
 ..."

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

"...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:



"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly

for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the and impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate

proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

"...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

**Change suggested by respondent:**

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

"Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, maximises the use of sustainable modes of travel as a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
  2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
  3. Targeting investment to provide local travel options that represent a clearly credible alternative to car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
  4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
  5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring of travel demands on the network and to ensure that measures are implemented to support the highest possible level of sustainable travel behaviour.;
  6. Using robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
  7. Delivering a coordinated package of infrastructure improvements at and approaching junctions on the A27 Chichester Bypass along with other interventions within the city and elsewhere, as identified through the monitor and manage process. These will reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.
- ..."

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:**

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx -  
<https://chichester.oc2.uk/a/skh>

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## Object

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**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

In regards to Policy T1 and Transport Infrastructure, we support efforts to secure 'the timely delivery of transport infrastructure on the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan'.

We note that it is proposed that all new dwellings (except for West of Chichester SDL and Tangmere SDL) contribute £7,728 (plus indexation) towards the schemes recommended to be provided within the Local Plan period via developer contributions. However, we would like to ask when will this be applicable from (i.e from what date does the indexation commence).

**Full text:**

In regards to Policy T1 and Transport Infrastructure, we support efforts to secure 'the timely delivery of transport infrastructure on the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan'.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

March 23 Reg 19 reps Chichester District Council RHL - Final.pdf - <https://chichester.oc2.uk/a/svt>

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## Object

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**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

We consider that a shift instead towards 'vision and validate' would be more aspirational for the plan. This approach will allow our Consortium to best envisage the place that Chichester District wants to create at Southbourne, and to target sustainable transport measures, alongside a carefully planned new community, that minimises travel needs and provides genuine sustainable options for movement.

**Full text:**

We acknowledge the emerging plan's shift away from 'predict and provide' approach to recommending mitigation based on forecast growth, to an approach of 'monitor and manage', based on identifying a package of potential highway improvements which alongside schemes identified through the development management process, may be implemented following a monitoring process that will monitor the actual demand on the network and the requirement for the schemes.

We consider that a shift instead towards 'vision and validate' would be more aspirational for the plan. This approach will allow our Consortium to best envisage the place that Chichester District wants to create at Southbourne, and to target sustainable transport measures, alongside a carefully planned new community, that minimises travel needs and provides genuine sustainable options for movement. Such an approach needs to reimagine the hierarchy of transport users, prioritising pedestrians first, followed by cyclists, public transport, specialist service vehicles and finally other motor traffic. The scheme should prioritise support and encouragement for sustainable travel in line with this new hierarchy whilst now linking transport intrinsically with masterplanning, carbon reduction, air quality, health and lifestyle and biodiversity, instead of seeing it as a standalone consideration. We would therefore recommend Chichester District encourage ambitious developers to explore the 'vision and validate' approach within draft Policy T1

The land east of Southbourne will deliver a comprehensive development that also secures benefits for the existing community, including:

Delivery of a significant portion of the Green Ring, in both a central location and also an enhanced, longer walking route around the edge of the allocation. This has the benefit of creating a meaningful gap between settlements that is focused on the delivery of environmental enhancements and a wildlife corridor, whilst also offering alternative longer route for walking/recreation, reducing pressure on the Chichester Harbour SPA.

A connected integrated community that delivers sustainable transport improvements and alternatives for the whole of Southbourne.

A focus on connectivity through the green ring and connecting green corridors that focus movement on walking and cycling, rather than vehicular travel.

A central community hub that can deliver a new 2FE primary school, a community building, small scale retail and an enterprise hub to support homeworking, shared office space and start-ups.

With regards to the proposed S106 contribution per dwelling of £7,728 to act as A27 mitigation, we are concerned that this is not justified (see attached note from i-Transport). Furthermore, the imposition of CIL on the scheme at Southbourne would reduce the level of control over the above package of infrastructure improvements and sustainable movement provision associated with the development. With a contribution made to Chichester District in place of direct involvement of the consortium in the improvements to the village infrastructure, there is a risk that the enhancements that form a key element of the proposal may be delayed or fail to be delivered in a timescale that would best benefit the residents of the village.

Considering the above, we recommend that the BLD at Southbourne be CIL-exempt to catalyse the delivery of the infrastructure associated with the scheme and avoid the village's infrastructure funding being stagnated within a larger and district-wide funding mechanism.

**Change suggested by respondent:**

We recommend that the BLD at Southbourne be CIL-exempt to catalyse the delivery of the infrastructure associated with the scheme and avoid the village's infrastructure funding being stagnated within a larger and district-wide funding mechanism.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

ITB14672-017 TN Local Plan Review - Representations.pdf - <https://chichester.oc2.uk/a/s8y>

## Support

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

In respect of contributions towards the A27, Miller and Vistry support the confirmation in the table beneath paragraph 8.20 that the contribution to be sought from the West of Chichester development towards A27 improvements will be £1,803 per dwelling.

**Full text:**

In respect of contributions towards the A27, Miller and Vistry support the confirmation in the table beneath paragraph 8.20 that the contribution to be sought from the West of Chichester development towards A27 improvements will be £1,803 per dwelling.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/sxr>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Kingsbridge Estates Limited & Landlink Estates Limited [8084]

**Agent:** Savills (Mr William Price, Planner) [7783]

**Summary:**

Policy T1 conflicts with the wording of policy E4 of the Local Plan which allows for horticultural development and ancillary development only. This policy wording would seek to require associated development, to be located within settlement boundary areas or other established employment sites. The siting of associated functions within these locations would increase the number of vehicular journeys associated with the industry.

**Full text:**

Conflict with restrictions of policy E4 and associated text.

The Council's desire to ensure that new development is well located and designed to avoid and minimise the need for travel is supported as stated within Policy T1. Minimising transport movements on the A27 corridor is particularly critical given the acknowledged constraints of the corridor (ref. policy T1)

This is in direct conflict with the wording of policy E4 of the Local Plan which allows for horticultural development and ancillary development only. This policy wording would seek to require associated development, such as office space and storage and distribution uses, to be located within settlement boundary areas or other established employment sites. The siting of associated functions within these locations would increase the number of vehicular journeys associated with the industry.

It is therefore suggested that Policy E4 of the local plan allows for development associated with the horticultural industry to come forward within HDA designations in order to comply with the objectives of Policy T1 of the Local Plan and in the interests of minimising congestion.

**Change suggested by respondent:**

It is therefore suggested that Policy E4 of the local plan allows for development associated with the horticultural industry to come forward within HDA designations in order to comply with the objectives of Policy T1 of the Local Plan and in the interests of minimising congestion and vehicular movements.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

OVERVIEW OF SUBMISSIONS - Kingsbridge and Landlink.pdf - <https://chichester.oc2.uk/a/scp>

23-03-17 Chichester Food Hub report 4th Draft Issue.pdf - <https://chichester.oc2.uk/a/sd9>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Network Rail (Sam Bhatti, Graduate Surveyor) [8048]

**Summary:**

Accessibility should be built into new development in the form of active travel networks, which will enhance permeability in people's transitions between areas.

Development requiring additional road capacity should not go ahead, except as a last resort.

**Full text:**

Thank you for consulting Network Rail on the above consultation, I can confirm we wish to make the following comments.

Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland, and Wales. As statutory undertaker, Network Rail is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.

Having been in consultation with the train operating company, Southeastern Rail, of particular interest to Network Rail is the need to integrate active travel infrastructure and promote First and Last Mile principles. In addition, the impact of development on train stations and existing level crossings.

**First and Last Mile Considerations**

We encourage the Council to consider not only the impact of development on the railway itself, but also on the first and last mile element of passengers' journeys. This factors in access to and from the railway, as well as how other transport modes are integrated and how well communities are connected.

Failure to integrate this represents an issue for rail travel as people who start journeys by car will likely continue to drive rather than stop to change to the train, as the cost and time of parking and train tickets offer no benefit to them.

Developing access to the railway using first and last mile principles has several benefits, including:

- Aligning with local and national policy to reduce carbon emissions and meet netzero targets, by encouraging more active modes of transport such as walking and cycling
- Providing a seamless journey experience where various modes of transport are integrated, including bus and rail services
- Providing an accessible and inclusive offering of transport modes to both local residents and visitors
- Improving connections between communities which may not be as well-served by public transport

While infrastructure and transport services may be identified as areas for improvement, there may be other, smaller scale enhancements that can be made such as better provision of information or additional cycle racks. Network Rail's Planning team welcome further discussions with the council to gain a better understanding of how we can work together to improve access to the railway and integrate first and last mile thinking into the scheme plans, taking into account the various component parts of passengers' journeys and wider plans for the local area.

Policy T3 Active Travel – this has the broad support of Network Rail but should be strengthened to reflect walking/cycling as the first choice for local journeys; and for longer journeys part of an integrated bus/train transport chain that allows people to continue seamlessly.

Network Rail will support planning schemes within active travel distance of railway stations that provide continuous, direct and safe pedestrian/cycle routes that will serve rail passengers. Pedestrian routes should be prioritised over vehicles, meaning all schemes should be designed so that vehicles wait for walkers/cyclists, not the other way around.

**Transport Infrastructure**

Accessibility should be built into new development in the form of active travel networks, which will enhance permeability in people's transitions between areas. Development requiring additional road capacity should not go ahead, except as a last resort.

Policy T1 – in general this is supported. References to a 'coordinated package of infrastructure improvements' along the A27 should be replaced with a 'coordinated package of active travel and public transport improvements infrastructure', as this is more specific in emphasising that car transport should be minimised as much as possible.

Policies T2 and I1 – in general these are supported in the sense they promote seamless and continuous active travel arrangement and minimise car use. However, references should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time. The provision of amenities and leisure facilities within a 15-minute walk should be a cornerstone idea that drives mid to long term infrastructure goals for Chichester. Owing to the considerable amount of development anticipated by the Council, there is ample opportunity for local businesses and retailers to provide services within these local neighbourhoods.



## Railway Station Considerations

As a public funded company, Network Rail has responsibilities to spend public funds efficiently which consequently means we do not have the funds available to mitigate the impact of third-party development on railway stations. Where a significant amount of rail trips are generated by a third-party development, Network Rail expect that the development provides a contribution to mitigate the addition usage, ensuring that the rail network can continue to operate effectively. The contributions will encourage greater use of public transport by enhancing the rail experience for passengers.

The Local Plan has proposed site allocations across the district, for this reason the resulting increase to the use of stations should be recognized and mitigated against so that rail travel remains an attractive mode of transport. Failure to upgrade stations will result in less rail passengers which is counter productive to the Council's goals of a thriving public transport system.

Southbourne and Fishbourne Stations - Network Rail have concerns about the impact of future development on Southbourne and Fishbourne stations. As the stations themselves are small-sized, large-scale accessibility improvements would be potentially difficult. As a result, the provision of cycle parking facilities at both stations should be considered as crucial by the Council to ensure the station environment continues to modernize and encourage passenger use. This also ensures the stations integrate with proposed cycle/pedestrian routes across the area.

## Level Crossing Considerations

As part of Network Rail's license to operate and manage Britain's railway infrastructure, Network Rail have the legal duty to protect rail passengers, the public, the railway workforce, and to reduce risk at our level crossings so far as is reasonably practicable.

Improving Level Crossing safety is therefore one of Network Rail's key priorities.

Closing level crossings is the only way to fully eradicate the risk. However, it is not always possible or practicable to immediately close all level crossings. Aside from financial and practical constraints, user convenience still needs to be a key consideration. A broad range of targeted interventions and initiatives are therefore needed to manage safety at crossings which remain open.

Any new development would need to provide an assessment of the impact on any nearby Level Crossings and in some cases, planning obligations may be required to mitigate the impacts on it.

Policy A13 Southbourne Broad Location for Development - Several strategic sites have been identified across the district, with a significant amount west of Chichester which require reconsideration. Policy A13, which proposes 1050 new homes, will result in significant upturns in use of the Penny Lane and Church crossings, which are currently public footpath crossings and have high risk factors. Large-scale development could therefore warrant closure or installation of a footbridge. The Council should be aware of this as these projects are costly and would require requisite funding.

Network Rail are in the process of completing a risk assessment on the affected crossings. However, for context we recently reviewed the Copse level crossing (located approximately 1.9km eastwards from Penny Lane) which resulted in a 300% use increase from a 112home development (Planning Application SB/22/01283/FULEIA).

## Change suggested by respondent:

References to a 'coordinated package of infrastructure improvements' along the A27 should be replaced with a 'coordinated package of active travel and public transport improvements infrastructure', as this is more specific in emphasising that car transport should be minimised as much as possible.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan Response - <https://chichester.oc2.uk/a/spn>

## Support

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Network Rail (Sam Bhatti, Graduate Surveyor) [8048]

## Summary:

In general, this is supported.

## Full text:

Thank you for consulting Network Rail on the above consultation, I can confirm we wish to make the following comments.

Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland, and Wales. As statutory undertaker, Network Rail is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its

assets, ensuring the provision of a safe operational railway.

Having been in consultation with the train operating company, Southeastern Rail, of particular interest to Network Rail is the need to integrate active travel infrastructure and promote First and Last Mile principles. In addition, the impact of development on train stations and existing level crossings.

#### First and Last Mile Considerations

We encourage the Council to consider not only the impact of development on the railway itself, but also on the first and last mile element of passengers' journeys. This factors in access to and from the railway, as well as how other transport modes are integrated and how well communities are connected.

Failure to integrate this represents an issue for rail travel as people who start journeys by car will likely continue to drive rather than stop to change to the train, as the cost and time of parking and train tickets offer no benefit to them.

Developing access to the railway using first and last mile principles has several benefits, including:

- Aligning with local and national policy to reduce carbon emissions and meet netzero targets, by encouraging more active modes of transport such as walking and cycling
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While infrastructure and transport services may be identified as areas for improvement, there may be other, smaller scale enhancements that can be made such as better provision of information or additional cycle racks. Network Rail's Planning team welcome further discussions with the council to gain a better understanding of how we can work together to improve access to the railway and integrate first and last mile thinking into the scheme plans, taking into account the various component parts of passengers' journeys and wider plans for the local area.

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Network Rail will support planning schemes within active travel distance of railway stations that provide continuous, direct and safe pedestrian/cycle routes that will serve rail passengers. Pedestrian routes should be prioritised over vehicles, meaning all schemes should be designed so that vehicles wait for walkers/cyclists, not the other way around.

#### Transport Infrastructure

Accessibility should be built into new development in the form of active travel networks, which will enhance permeability in people's transitions between areas. Development requiring additional road capacity should not go ahead, except as a last resort.

Policy T1 – in general this is supported. References to a 'coordinated package of infrastructure improvements' along the A27 should be replaced with a 'coordinated package of active travel and public transport improvements infrastructure', as this is more specific in emphasising that car transport should be minimised as much as possible.

Policies T2 and I1 – in general these are supported in the sense they promote seamless and continuous active travel arrangement and minimise car use. However, references should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time. The provision of amenities and leisure facilities within a 15-minute walk should be a cornerstone idea that drives mid to long term infrastructure goals for Chichester. Owing to the considerable amount of development anticipated by the Council, there is ample opportunity for local businesses and retailers to provide services within these local neighbourhoods.

#### Railway Station Considerations

As a public funded company, Network Rail has responsibilities to spend public funds efficiently which consequently means we do not have the funds available to mitigate the impact of third-party development on railway stations. Where a significant amount of rail trips are generated by a third-party development, Network Rail expect that the development provides a contribution to mitigate the addition usage, ensuring that the rail network can continue to operate effectively. The contributions will encourage greater use of public transport by enhancing the rail experience for passengers.

The Local Plan has proposed site allocations across the district, for this reason the resulting increase to the use of stations should be recognized and mitigated against so that rail travel remains an attractive mode of transport. Failure to upgrade stations will result in less rail passengers which is counter productive to the Council's goals of a thriving public transport system.

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Any new development would need to provide an assessment of the impact on any nearby Level Crossings and in some cases, planning obligations may be required to mitigate the impacts on it.

Policy A13 Southbourne Broad Location for Development - Several strategic sites have been identified across the district, with a significant amount west of Chichester which require reconsideration. Policy A13, which proposes 1050 new homes, will result in significant upturns in use of the Penny Lane and Church crossings, which are currently public footpath crossings and have high risk factors. Large-scale development could therefore warrant closure or installation of a footbridge. The Council should be aware of this as these projects are costly and would require requisite funding.

Network Rail are in the process of completing a risk assessment on the affected crossings. However, for context we recently reviewed the Copse level crossing (located approximately 1.9km eastwards from Penny Lane) which resulted in a 300% use increase from a 112home development (Planning Application SB/22/01283/FULEIA).

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan Response - <https://chichester.oc2.uk/a/spn>

## Support

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

#### Summary:

WGPC supports this approach but questions how it could be applied to Wisborough Green. This policy is Chichester-centric; Wisborough Green residents have no option other than to rely upon private cars.

#### Full text:

WGPC supports this approach but questions how it could be applied to Wisborough Green. This policy is Chichester-centric; Wisborough Green residents have no option other than to rely upon private cars.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. This policy is Chichester-centric; Wisborough Green residents have no option other than to rely upon private cars.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. This policy is Chichester-centric; Wisborough Green residents have no option other than to rely upon private cars.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Manhood Peninsular Action Group (Mrs Joan Foster, Chairman) [7874]

**Summary:**

Current proposals will do nothing to improve the traffic flow on the A27

**Full text:**

Contributions to the two A27 roundabouts for the uncommitted housing, 3351, about 40% of total, is assessed at £7,728 per house at current prices. This is 4 times higher than current level of £1,803. Nowhere does there appear to be an assessment as to whether this is viable for the land developers and house buyers. Viability is a key test with regard to deliverability but the Plan is silent on this key issue. So, is the plan deliverable? Does it further price first-time buyers out of the market. Chichester has already one of the highest Ratio of Affordability in Sussex .

**Change suggested by respondent:**

Relying on developers contributions to resolve the issues of over capacity on the A27 is totally inadequate..It will not help local traffic and through traffic will suffer further delays of a much long duration.

There needs to be substantial investment from Highways England to provide more capacity and reduce the accidents occurring on this road.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Outline of Objection - <https://chichester.oc2.uk/a/smh>

## Object

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**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

**Summary:**

The timing of delivery of transport infrastructure on the A27 will be outside of the applicant's control. Emerging policy will require financial contributions (8.20/8.21) towards a wider package of A27 improvements which will discharge the applicant's obligation with regard delivery of transport infrastructure on the A27 and beyond this it would not be reasonable for the development to be held back due to the Council's failure to deliver.

**Full text:**

Please refer to submitted representations document.

**Change suggested by respondent:**

Reference in the policy to "including applicants" should be removed. In the alternative, point 4 should be separated out as a council only policy.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/sb4>

REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/sb5>

## Object

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**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

**Summary:**

Reword point 5:

Phasing the delivery of new transport infrastructure agreed through the Transport Assessment process to align with development phases with triggers identified based on the outcomes of monitoring travel demand. It may also be necessary to proactively phase development to take into account the monitoring and effectiveness of travel plans to encourage sustainable travel behaviour.

**Full text:**

Please refer to submitted representations document.

**Change suggested by respondent:**

Reword point 5:

Phasing the delivery of new transport infrastructure agreed through the Transport Assessment process to align with development phases with triggers identified based on the outcomes of monitoring travel demand. It may also be necessary to proactively phase development to take into account the monitoring and effectiveness of travel plans to encourage sustainable travel behaviour.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/sb4>

REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/sb5>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

**Summary:**

Point 7 should remove reference to A27 improvements and be reworded to reflect potential for mitigation through active travel mode improvements. Suggested rewording as follows:

7. Delivering a coordinated package of infrastructure improvements as identified through the monitor and manage process. These will increase opportunities for active travel mode use, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city by all modes from surrounding areas.

**Full text:**

Please refer to submitted representations document.

**Change suggested by respondent:**

Point 7 should remove reference to A27 improvements and be reworded to reflect potential for mitigation through active travel mode improvements. Suggested rewording as follows:

7. Delivering a coordinated package of infrastructure improvements as identified through the monitor and manage process. These will increase opportunities for active travel mode use, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city by all modes from surrounding areas.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/sb4>

REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/sb5>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Suez (Sita UK) (Emma Smyth, Senior Planning Manager) [11]

**Summary:**

Supports the objectives but suggests changes to remove the requirement for development to be phased as delivery of works to the A27 and elsewhere are not within the developers control.

**Full text:**

This representation is made by SUEZ Recycling & Recovery Southern Ltd (SUEZ), who along with SUEZ Recycling & Recovery UK Ltd forms part of the SUEZ group of companies within the UK. This representation is made in response to the Chichester Local Plan 2021-2039 Proposed Submission consultation.

SUEZ Recycling & Recovery Southern Ltd are the landowner of part of the land subject to the draft strategic site allocation 'Land East of Chichester' identified in draft Policy A8.

**Change suggested by respondent:**

Delete the first sentence of bullet 5 which requires phasing in line with transport infrastructure.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Reg 19 SUEZ Response - 17-03-22.pdf - <https://chichester.oc2.uk/a/sdp>

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Suez (Sita UK) (Emma Smyth, Senior Planning Manager) [11]

**Summary:**

Support in principle.

**Full text:**

This representation is made by SUEZ Recycling & Recovery Southern Ltd (SUEZ), who along with SUEZ Recycling & Recovery UK Ltd forms part of the SUEZ group of companies within the UK. This representation is made in response to the Chichester Local Plan 2021-2039 Proposed Submission consultation.

SUEZ Recycling & Recovery Southern Ltd are the landowner of part of the land subject to the draft strategic site allocation 'Land East of Chichester' identified in draft Policy A8.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Reg 19 SUEZ Response - 17-03-22.pdf - <https://chichester.oc2.uk/a/sdp>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Not clear how developments are to mitigate impacts of travel by car, albeit assumed that encouragement for car sharing (through travel plans) and electric vehicles (through the provision of charging points) are two means. Agree there is need for new transport infrastructure to come forward alongside new development but consider phasing of development of sites that serve to minimise impacts upon the A27 (notably Southern Gateway) need not be impaired owing to City Centre location and proximity to travel interchanges. Concur it is beholden upon strategic development to promote delivery of sustainable forms of travel and deliver new transport infrastructure, must be proportionate to potential effects of development.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Ms Lindsay Davey [7844]

**Summary:**

I consider this policy not to be sound. The A27, its junctions and surrounding/connecting roads are already congested and will beom more so with the proposed increase in the population and hence car owners/users.

The plan gives not defined or confirmed road infrastructure nor funding /investment to enable action to reduce the detrimental impact of the proposed massive increase in populus in Tangmere and its surrounding area.

To monitor and manage is not appropriate to deal with the predicted issue of road congestion.

Air pollution and noise pollution will increase.

Tangmere is the largest planned high order settlement hub and has no close proximity railway station, unlike proposed developments at Southbourne, Nutbourne and Fishbourne.

**Full text:**

See representation

**Change suggested by respondent:**

To make this policy more sound, the 'monitor and manage' strategy needs to be removed and become 'predict and provide' the emphasis being on the 'provide' being secured, which would assist in easing the predicted road congestion issue. A railway station needs to be developed and built for the Tangmere area to improve easy access to rail travel for the increased population and thus encourage alternative travel usage.

To reduce the massive number of proposed new housing units to be built in and around the Tangmere area where there are already severe known traffic congestion issues particularly at junctions and roundabouts that feed in and out and around Chichester and its surrounds.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Redacted paper submission - <https://chichester.oc2.uk/a/skz>

P6 Amenity - redacted - <https://chichester.oc2.uk/a/szh>

Representation Form 4 - redacted - <https://chichester.oc2.uk/a/smx>

Representation Form 5 - redacted - <https://chichester.oc2.uk/a/smj>



## Object

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**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Mr Oliver Gale [8154]

**Summary:**

The policy is unreasonable in that it does not address the concerns raising in the WSCC Area Transport Strategy (ATS). The ATS 7.50 recognises 'rat running on residential and rural routes to avoid congestion'. The development spine road will become another rat run and impact the safety of Tangmere residents. The ATS recognises that WSCC roads are not capable of supporting growth.

**Full text:**

See representation

**Change suggested by respondent:**

Modification of the plan to reduce or cancel the development to avoid further congestion on the A27 and divergence of traffic through residential areas.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

P11 Paper Submission - redacted - <https://chichester.oc2.uk/a/sz3>

T1 Paper submission - <https://chichester.oc2.uk/a/szv>

8.12 redacted - <https://chichester.oc2.uk/a/szb>

8.13 redacted - <https://chichester.oc2.uk/a/szc>

A14 redacted - <https://chichester.oc2.uk/a/szd>

NE5 Redacted - <https://chichester.oc2.uk/a/szw>

10.64 Redacted - <https://chichester.oc2.uk/a/szf>

A14 ORCHARD - redacted - <https://chichester.oc2.uk/a/szg>

## Object

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**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Hampshire County Council (Laura McCulloch, Head of Spatial Planning) [8161]

**Summary:**

Not engaged in discussions on scope of transport studies. Insufficient evidence to substantiate conclusion in transport study of negligible impact on A27 Havant Bypass roundabout and A3(M)/A27 junction. No mention of cross-boundary impact on A259/other Hampshire routes. Insufficient evidence of scale of impact on local highway network in Hampshire. Studies don't state how highway impact of proposed Southbourne settlement hub was assessed, whether this included assessment of A259 corridor into Hampshire. No mitigation proposed on Hampshire highway network. Chem route ends at Hampshire boundary, fails to consider continuation of cycle route along A259 into Hampshire, connecting with cycle routes in Havant LCWIP, providing key cross-boundary sustainable transport route.

**Full text:**

Thank you for consulting Hampshire County Council on the Chichester District Council Local Plan. The County Council in its capacity as a neighbouring highway authority has focussed this response on the potential implications of the cross-boundary transport issues associated with the Chichester local plan spatial development strategy, and the potential impact on the Hampshire local highway network and wider Solent area.

**Transport evidence base**

The transport evidence is provided by two studies; the Strategic Development Options and Sustainable Transport Measures (December 2018) which looked at three local plan scenarios, followed by the Chichester Transport Study (Jan 2023) which assessed one local plan spatial scenario. Hampshire County Council was not engaged in discussions on the scope of either of the transport studies. The studies assessed the impact of local plan development allocations on the highway network within Chichester district and in the neighbouring Hampshire districts. They looked at the highway impact on the A27 and A3 trunk roads in Hampshire, but as these roads are part of the Strategic Road Network, they are the responsibility of National Highways.

The main cross boundary route is the A259 which runs from the A27 Warblington junction in Hampshire eastwards though Emsworth towards Brighton. The A259 section in Hampshire is the responsibility of Hampshire County Council, but neither of the transport studies give an assessment of the highway impact on the section of the A259 within Hampshire. Instead, the conclusion of the Transport study (2018) states that for Hampshire there is a negligible impact on the operation of the A27 Havant Bypass roundabout and the A3(M)/A27 junction and that the majority of traffic projected within Hampshire was identified to travel east west and north south along the A3(M) and the A27. Hampshire County Council does not consider that the studies give sufficient evidence to substantiate this conclusion. The subsequent Transport study (2023) then concludes that with mitigation in place within Chichester district the impacts of the emerging local plan development on network performance in Hampshire are likely to be comparable to the baseline scenario. There is no mention or indication of the cross-boundary impact on the A259 or other routes in Hampshire.

Hampshire County Council assert that there is insufficient evidence to provide a full understanding of the scale of impact on the local highway network in Hampshire, or to say definitively that there is not a severe impact on the A259 in Hampshire. The County Council would therefore support a dialogue with Chichester District to discuss the cross-boundary transport issues specifically those associated with the A259 route within Hampshire.

**Proposed Southbourne settlement hub (policy A13)**

The local plan proposes a new settlement hub of 1,050 dwellings (policy A13) located in Southbourne along the A259 and just east of the Hampshire boundary. To travel westwards from Southbourne to the A27 Warblington junction in Hampshire the only direct route is along the A259 which crosses into Hampshire. The transport studies do not state how the highway impact of the proposed Southbourne settlement hub was assessed and whether this included an assessment of the A259 corridor into Hampshire.

It is the County Council's view that the transport evidence does not, at this stage, provide an adequate consideration of the impact on the local highway network in Hampshire, and specifically on the A259.

The Southbourne settlement hub will require its own Transport Assessment at the planning application stage in order to fully identify the local and cross-boundary impacts on the A259 route which crosses into Hampshire.

Masterplanning of the Southbourne settlement hub would also be beneficial to prevent high levels of car dependency and to ensure that the site has connections to public transport and that the new facilities and services can be accessed by walking and cycling trips both by the new residents and those from the adjacent residential areas. A closer attention to masterplanning of new sites for high quality neighbourhoods and for the needs of all road users to be assessed using a Road User Utility Framework are key policy components of Hampshire's emerging Local Transport Plan 4.

**Transport mitigation**

The proposed mitigation in the transport studies focuses on highway capacity improvements along the A27 corridor within Chichester district. There is no mitigation proposed on the Hampshire highway network.

In addition to highway capacity mitigation, several options for sustainable transport mitigation were considered for the medium to long term. A proposal for a strategic cycle route from Chichester to Emsworth (the 'Chem route') along the A259 is included in the Chichester IDP and West Sussex LTP. The County Council recognise that there is potential for this scheme to provide a high-quality cycle corridor for walking and cycling trips and to serve the proposed Southbourne settlement hub. However, the Chem route as presented ends at the Hampshire boundary and fails to consider the continuation of the cycle route along the A259 into Hampshire. Continuing the Chem route into Hampshire would connect with the cycle routes in the Havant LCWIP and provide a key cross-boundary sustainable transport route and links to key destinations in Hampshire.

**Change suggested by respondent:**

The County Council would support a dialogue with Chichester District to discuss the cross-boundary transport issues specifically those associated with the A259 route within Hampshire.

Continuing the Chem route into Hampshire would connect with the cycle routes in the Havant LCWIP and provide a key cross-boundary sustainable transport route and links to key destinations in Hampshire.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/szj>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

Use of term 'reducing' in first bullet point implies that this is from a baseline. Where a development has been designed in a way that achieves this objective, the promotion of sustainable modes of transport is inherent as an outcome.

**Full text:**

See attachment.

**Change suggested by respondent:**

Suggest word 'minimise' is used instead of 'reducing' in first bullet point to ensure policy objective is effective on a site-by-site basis.

In criterion 3, consider using 'and/or' when referring to public transport options, as not all development will be required to deliver improved rail infrastructure.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/smp>

## Support

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Surrey County Council (Surrey County Council, Principal Spatial Planning Officer) [1325]

**Summary:**

Technical officers have reviewed the document and have no comments to make. We are supportive of the general strategy set out within the proposed transport policies, which prioritises sustainable modes of transport.

**Full text:**

Thank you for consulting Surrey County Council on the proposed submission Local Plan. Technical officers have reviewed the document and have no comments to make. We are supportive of the general strategy set out within the proposed transport policies, which prioritises sustainable modes of transport.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Planned mitigation schemes at Fishbourne and Bognor roundabouts are to be funded exclusively by residential development despite allocation at 'Land South of Bognor Road'. Consequently, contributions being sought for residential development would fail CIL Regulation 122 tests for not being "fairly and reasonably related in scale and kind to the development". Transport Study confirms planned mitigation could accommodate further 2,970 dwellings in South which would reduce per dwelling contribution. At best, cost of mitigation could be reduced in the interests of viability and affordable housing delivery. At worst, cost of mitigation would fail CIL Regulation 122 tests for not being "fairly and reasonably related in scale and kind to the development". Strategy focusses on mitigating two junctions on A27 as priorities but applies generic cost to all sites within South. Clearly, impact on junctions will vary for sites within South in terms of location (access to alternative transport) and existing context (greenfield or brownfield) - generic approach to contributions not "fairly and reasonably related in scale and kind to the development". See further Technical Note attached.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/snj>

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Beechcroft Developments Limited [8188]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

Object on grounds that proposed "monitor and manage" approach as opposed to "plan, monitor and manage" approach inherently acknowledges that Council is failing to plan to address infrastructure or housing needs; approach not consistent with national policy and will actively constrain delivery of infrastructure and housing needed; modelling data provided in Chichester Capacity Study does not provide justification for how figure of 535 dpa was arrived at, SATURN modelling shows that 700 dpa could be accommodated; requested financial contributions are for improvements on the SRN which is the responsibility of National Highways, funding received from the Department of Transport; method by which financial contributions have been calculated is flawed.

**Full text:**

See attachments.

**Change suggested by respondent:**

Adopt a "plan, monitor and manage" approach which plans to meet housing needs in full through committing to delivery of infrastructure improvements and if necessary, phasing housing requirement towards end of plan period with progress towards infrastructure funding being monitored and delivery of sites being managed such that they will only be brought forward providing appropriate infrastructure improvements to A27 as is necessary to support each development, is provided. Chichester Capacity Study needs to be updated and use latest traffic growth modelling (Ver 8.0 SATURN modelling) to establish capacity of roundabout junction improvements and extent of funding required to carry out necessary improvements. Take into account other types of use for financial contributions in addition to residential.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp5>

Appendix 1 - Representations on Housing Requirement and Supply - <https://chichester.oc2.uk/a/sp6>

Appendix 2 - Statement of Representations - A27 Mitigation Contributions -

<https://chichester.oc2.uk/a/sp7>

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England welcomes the extensive references across this policy (and policies T2 and T3) to reductions in car use, increased provision of sustainable transport choices and increased opportunities for active travel.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)
- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Change wording to criterion 3, 4, 5 & 7.

**Full text:**

See attached.

**Change suggested by respondent:**

3. need to change the wording, the mindset needs to move away from "alternative to the car"

Better wording "Targeting investment to provide local access with a focus on active travel as the obvious way for people to access their needs walking and cycle routes and networks complying with LTN1/20 with Highway Code Hierarchy of Road User built into the design to ensure it is obvious active travel users have priority. Active travel will be integral to new development while Local Walking and Cycling Infrastructure Plan and Local Transport Plan shall inform priority for investment in existing settlements ensuring continuous direct routes to bus stops and railway stations where what needs to be accessed is not available locally."

4. "Planning to achieve timely delivery of access infrastructure to ensure active travel and public transport are the obvious modes of access when first occupied to ensure car-based habits that are difficult to subsequently change to not become entrenched." It is important to stop increasing road capacity as that just generates traffic that congests existing communities stifling local economies and makes existing road journeys worse.

5. "Phase delivery of new development to align with development of the rail network as outlined in the West Sussex Connectivity Modular Plan and GTR strategy for West Coastway to be consulted later in 2023"

7. Change the wording to "Delivering a coordinated package of infrastructure improvements to provide public transport priority and eliminate severance of active travel routes to junctions on the A27 Chichester bypass along with active travel and public transport priority within the city and elsewhere to drive modal shift to local access, active travel and public transport to facilitate real reductions of motor vehicle use. These will, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas without increasing road capacity."

"Opportunities to secure funding to implement this package of improvements (in relation to criterion 7)", change to criterion 3 and 7, and only referencing criterion 7 if that is changed as described above.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** Fishbourne Meadows Residents' Association (Lou Johns, Chairman) [8194]

**Summary:**

Do not believe that a sustainable and integrated transport system will be achieved through improvements.

**Full text:**

REPRESENTATION TO THE PLANNING POLICY TEAM RE THE LOCAL PLAN MARCH 2023

Our interests in reading the Local Plan 2023 are namely:

The INFRASTRUCTURE NEEDED TO SUSTAIN SUBSTANTIAL DEVELOPMENT

YOU SAY: To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area.

Key infrastructure to support the Local Plan will include improvements to transport, open space and green infrastructure, education, health, water supply and removal, telecommunications, flood risk and coastal change management and the provision of minerals and energy Page 33

CAN YOU ACHIEVE THIS?

ROADS - already suffering with surface damage and from too high density of traffic

YOU SAY: A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.

Page 33 CAN YOU ACHIEVE THIS?

MANAGEMENT OF SEWAGE TREATMENT AND DISPOSAL

YOU SAY: Sewerage undertakers will need to work with regulators to deliver improvements in wastewater infrastructure to support new development and to ensure adverse environmental impacts are avoided on internationally designated habitats. Improvements to water efficiency, conservation and storage capacity will be made.

Page 33 CAN YOU ACHIEVE THIS?

THE IMPACT SUBSTANTIAL DEVELOPMENT WILL HAVE ON OUR UNIQUE AND PRECIOUS ENVIRONMENT. INCREASING LIGHT POLLUTION.

YOU SAY: 12. Protect and enhance the existing biodiversity and important ecological corridor linking Chichester Harbour and the South Downs National Park.

Any development will need to: /

- a. Provide multifunctional green infrastructure both across the site and linking development to the surrounding countryside and Chichester city;
- b. Provide mitigation for any loss of watercourse habitat resulting from culverting for highway provision in the development;
- c. Provide buffer zones to sensitive habitats such as ancient woodland; Page 223

CAN YOU ACHIEVE THIS?

We applaud the words written down on efforts regarded as essential for the conservation of the AONBs and SSSIs of the Harbour. We applaud the efforts to maintain the wonderful view of the Cathedral from various aspects of the City. But we have little faith of these foreseen problems being effectively dealt with.

If the stretch of the A259 from Southbourne (which is classified as a Settlement Hub) to Fishbourne, where we already experience serious impact in congestion and noise, is going to be allocated several thousand new houses by 2030, I cannot imagine how the road will be able to start coping with that increased density of traffic. Another several thousand x 1.5 average vehicles per house will be using this already regularly gridlocked road.

We would implore that you actually managed to achieve what you are setting out with this wordy document but we have little faith, in fact, do not believe, that our environment and the precious habitats and lives of our wonderful local flora and fauna will be enhanced or even upheld in the process and we therefore believe that this Local Plan is unsound.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/spw>

## Object

**Document Element:** Policy T1: Transport Infrastructure

**Respondent:** The Chichester Society (Mr Peter Evans, Chairman) [8021]

**Summary:**

Public transport: Developments along the East-West Corridor should have good linear transport options with easy links to the primary road network, frequent bus services and rail stations. These are all available west of Chichester if a Southbourne road link is created onto the A27.

East of Chichester there will be a good direct link to the grade separated interchange at the A27/A285 west of Tangmere. However, there are no rail stations. The only frequent bus service runs to Tangmere with an irregular service to Arundel via Oving and Barnham. The sporadic new developments around Barnham seem only linked by bus to Bognor.

There seems no evidence of the Duty to Co-operate between Chichester and Arun District Councils. And none of the recent greenfield developments in either district have been accompanied by new or improved bus services.

**Full text:**

See attached representation.

**Change suggested by respondent:**

What is needed are: (1) a fast and frequent bus service between Chichester and Barnham station, via a new bus link from Tangmere to the B2233, and (2) extending the 55 service from Tangmere as a circular route back to the city via Shopwyke Lakes and the proposed East of Chichester SDL.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CHI-SOCIETY-LOCAL-PLAN - <https://chichester.oc2.uk/a/spj>

## Object

**Document Element:** Policy T1: Transport Infrastructure, 8.18

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.18 Although GTR supports much of this policy, wording needs to change along to so mindset focuses on access by active travel to reduce motor vehicle use. The policy for a coordinated package of improvement on the A27 needs to be replaced with a coordinated package of active travel and public transport priority and improvements that will reduce traffic congestion and improve safety.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>



## Object

**Document Element:** Policy T1: Transport Infrastructure, 8.19

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.19 Need to compare those costs Highway costs with costs of active travel and public transport provision that will deliver the objectives of improved access and reduced congestion.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy T1: Transport Infrastructure, 8.20

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

The key improvements to the Fishbourne and Bognor roundabouts are dependent on developer contributions from developments that have, as yet, no planning permission. The likelihood is that with the current economic climate any estimates in this plan today will be exceeded by a factor of X due to the global economic environment.

**Full text:**

The key improvements to the Fishbourne and Bognor roundabouts are dependent on developer contributions from developments that have, as yet, no planning permission. The likelihood is that with the current economic climate any estimates in this plan today will be exceeded by a factor of X due to the global economic environment.

**Change suggested by respondent:**

.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy T1: Transport Infrastructure, 8.20

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.20 Financial contribution from housing development will go much further if invested in proper active travel infrastructure, with active travel and public transport priority designed into existing roads, and integral to new developments

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** A27 Mitigation contributions

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Recommendations made]

Developer contributions require updating to reflect increased costs (inflation, materials) and to ensure calculation methods reflect proposed strategic development;

Proposed developments are at various stages of realisation; it is unclear if growth will be controlled in pace with the availability of funding and the delivery of necessary transport intervention;

There is no one single development that is large enough to provide developer contributions to fund the required mitigations and so a change in direction will be required;

All new housing and employment development increases the traffic on the local and strategic highway networks; Consideration should be given to collecting contributions from smaller developments (including 10 or fewer dwellings), not just strategic allocations.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until

the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport

implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

National Highways recommends that as a priority the Council:

- reviews the 'Planning Obligations & Affordable Housing Supplementary Planning Document' SPD) which came into effect from February 2016 to reflect the proposed development in the Plan and the likely additional costs of construction associated with mitigation measures on the A27;
- considers the methodology to calculate contributions in relation to current day costs;
- reviews process to enable collection of contributions from all sites, including from smaller developers;
- increases the rate per dwelling so that the required infrastructure can be delivered and cost of monitoring is included.

We acknowledge the work that has been done, and is being done, and we seek to continue to work with the Council, but we do seek information on the longer-term measures.

National Highways recommend:

- establishing what/which contributions could realistically come forward from developments;
- identifying what mitigation measures could reasonably be delivered from:
  - a) existing contributions;
  - b) expected contributions:
- understanding the overall deficit
- preparing a business case for any identified shortfalls

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

**Object**

**Document Element:** A27 Mitigation contributions

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Does this apply just to dwellings or to caravans etc?

It seems unreasonable for housing within Chichester District to pay for the improvements to Bognor Bridge roundabout when the major allocation in Arun make no contribution.

8.20 indicates that the fire is based on allocations - therefore sites coming forward by other means should not be caught

**Full text:**

Does this apply just to dwellings or to caravans etc?

It seems unreasonable for housing within Chichester District to pay for the improvements to Bognor Bridge roundabout when the major allocation in Arun make no contribution.

8.20 indicates that the fire is based on allocations - therefore sites coming forward by other means should not be caught

**Change suggested by respondent:**

Reword and justify

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object**

**Document Element:** A27 Mitigation contributions

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

**Full text:****Executive Summary**

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>



## Object

**Document Element:** A27 Mitigation contributions

**Respondent:** Arun District Council (Kevin Owen) [7587]

**Summary:**

Arun District Council is concerned that Chichester District Council's Regulation 19 'A27 Mitigation contributions' is not effective and should account for the cross boundary mitigation contributions and remove the uncertainty over how cross boundary contributions towards schemes such as Bognor Road and Whyke road roundabouts will be pooled to other A27 mitigation solutions such that there are no adverse implications for delivering committed developments in Arun and the viability of developments.

**Full text:**

Arun District Council is concerned that Chichester District Council's Regulation 19 A27 Mitigation contributions is not effective. Subject to ongoing Duty to Cooperate discussions with Chichester District Council (CDC), ADC hopes to resolve these matters with a view to securing a Statement of Common Ground and subsequent withdrawal of these objections before the plan is submitted. The Policy Table A27 mitigation contributions should account for the cross boundary mitigation contributions and remove the uncertainty over how cross boundary contributions towards schemes such as Bognor Road and Whyke road roundabouts will be pooled to other A27 mitigation solutions such that there are no adverse implications for delivering committed developments in Arun and viability of developments (e.g. West of Bersted, Pagham North and South) and in particular:-

- The A27/A257 Bognor Road Roundabout (West of Bersted £12m)
- A27 Whyke Road roundabout (West of Bersted £2.073m; Pagham South £0.395m; Pagham North £0.493m)
- A27/B2233 Nyton road (Barnham Eastergate/Westergate £0.327)

**Change suggested by respondent:**

The policy table should be updated and modified to reflect the additional cross boundary contributions and how collectively what further phased A27 mitigation improvements can be achieved to ensure that there are no adverse implications for delivering committed developments in Arun and the viability of developments.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** A27 Mitigation contributions

**Respondent:** Mrs Gabrielle Abbott [7919]

**Summary:**

Not justified – not an appropriate strategy

It is inequitable that the West of Chichester Development SDL Phase 2 and Tangmere SDL (which have yet to be granted planning permission) are to make lower contributions per dwelling than all other housing developments where the per dwelling contribution is to be calculated by using the prescribed formula.

**Full text:**

Not justified – not an appropriate strategy

It is inequitable that the West of Chichester Development SDL Phase 2 and Tangmere SDL (which have yet to be granted planning permission) are to make lower contributions per dwelling than all other housing developments where the per dwelling contribution is to be calculated by using the prescribed formula.

**Change suggested by respondent:**

The same formula will should apply to all developments without planning permission as at November 2022

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** A27 Mitigation contributions

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.21 and 8.22 Investing money this way will increase traffic congestion in Chichester and other existing communities in the region. If serious about improving access and reducing traffic congestion, this money will achieve far better outcomes and actually achieve those objectives if invested in active travel infrastructure including to railway stations that must be continuous, direct, safe, attractive and comfortable

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** A27 Mitigation contributions

**Respondent:** Gladman Developments Ltd (Mr Rob Wilding, Senior Planner) [7816]

**Summary:**

The Council's latest Transport Study published in January 2023 has identified that all other housing development which comes forward which is not allocated will have to pay a levy of £7,728 per dwelling which is a substantial increase per dwelling from the £1,402 per dwelling levy set out in the Planning Obligations and Affordable Housing SPD (2016) towards improvements to the Fishbourne Roundabout and the Bognor Road Roundabout. Gladman have concerns that this significant increase in the levy from the Planning Obligations and Affordable Housing SPD is going to make some speculative applications for small and medium housing sites unviable. For Gladman's scheme at land off Main Road, Birdham, a residential scheme for up to 150 dwellings, this would equate to a financial contribution of £1,159,200 (£7,728 x 150 dwellings).

**Full text:**

The Council's latest Transport Study published in January 2023 has identified that all other housing development which comes forward which is not allocated will have to pay a levy of £7,728 per dwelling which is a substantial increase per dwelling from the £1,402 per dwelling levy set out in the Planning Obligations and Affordable Housing SPD (2016) towards improvements to the Fishbourne Roundabout and the Bognor Road Roundabout. Gladman have concerns that this significant increase in the levy from the Planning Obligations and Affordable Housing SPD is going to make some speculative applications for small and medium housing sites unviable. For Gladman's scheme at land off Main Road, Birdham, a residential scheme for up to 150 dwellings, this would equate to a financial contribution of £1,159,200 (£7,728 x 150 dwellings).

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** A27 Mitigation contributions, 8.21

**Respondent:** Jennifer Asser [6438]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

Developer contributions sought for improvements to these two roundabout junctions are from residential development and exclude contributions from retail development. Inconsistent with CDC's adopted CIL charging schedule. No reason or justification for omitting contributions from retail developments has been given. Chichester Transport Study (2023) comments that forecast growth is likely to be lower than currently predicted within transport model, and mitigation identified "may not be required in the future". Given this uncertainty, SATURN modelling outputs cannot be relied upon to determine nature of any improvements that may or may not be required at these junctions. As such, mitigation identified may not actually be required in the future. Requested per dwelling contribution set out in paragraph 8.21 of Plan does not meet tests set out in CIL regulations and is therefore inconsistent with national policy.

**Full text:**

See representations

**Change suggested by respondent:**

Requested per dwelling contribution set out in paragraph 8.21 of Plan needs to be clarified and based on actual works/detailed costings for these junction improvements unknown at present. Financial contribution sought should be related to likely impact that development will have on junctions. Developments on fringes of southern part of plan area less likely to generate traffic at these junctions and any financial contributions should reflect this.

Existing housing allocations in made Neighbourhood Plans should not be required to pay financial contributions towards the improvement works at these two A27 junctions as already planned and in the system.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Policy H1 - <https://chichester.oc2.uk/a/sk8>

Policy H2 - <https://chichester.oc2.uk/a/sk9>

Policy H3 - <https://chichester.oc2.uk/a/skv>

Policy T1 - <https://chichester.oc2.uk/a/skb>

## Object

**Document Element:** A27 Mitigation contributions, 8.21

**Respondent:** Beechcroft Developments Limited [8188]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

Object on grounds that developer contributions sought for improvements exclude contributions from other development types such as industrial, retail, leisure, education which all generate traffic movements but don't appear in assessments - approach to securing financial contributions towards improvements to A27 is flawed.

**Full text:**

See attachments.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sp5>

Appendix 1 - Representations on Housing Requirement and Supply - <https://chichester.oc2.uk/a/sp6>

Appendix 2 - Statement of Representations - A27 Mitigation Contributions -

<https://chichester.oc2.uk/a/sp7>

## Object

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**Document Element:** Policy T2 Transport and Development

**Respondent:** Mr Michael Wright [7848]

**Summary:**

■ The term "major development" should be quantified

**Full text:**

■ The term "major development" should be quantified

**Change suggested by respondent:**

■ The term "major development" should be quantified

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy T2 Transport and Development

**Respondent:** Mr James Jewell [6721]

**Summary:**

■ A policy to mitigate the adverse consequences in Loxwood of failing to provide a commutable bus service whilst still building additional housing leads to attempting to control the car when it is the only means of transport available to residents. The substantial developments planned by Waverley will seriously congest the A281 and the junction with it at Alfold for Loxwood residents for whom this is the main transport link for employment shopping and leisure.

**Full text:**

■ I recognise the predominant concerns regarding the A27 and urban areas and that mine is a local focus on the North and particularly Loxwood. Travel from this village is primarily towards and through Waverley District for employment, shopping and leisure and access to the A281 is crucial. Waverley has extensive housing development planned that will add significantly to traffic on the A281 with increased difficulty of access to it and longer travel times along it. If a daily commutable bus service does not exist then policies to manage, ie discourage, car use are seriously disadvantageous to a population dependent on it. To permit the planned additional housing without recognising this issue is a nonsense. To require a significant proportion of those to be social housing is also ridiculous as these occupants will be leased able to afford cars. Social Housing also reduces the CIL contribution which in the circumstances is sorely needed to help cope with issues like these. If the new houses are to the south of this village they will add substantially to the traffic flow through the high street.

**Change suggested by respondent:**

■ To make any additional housing in Loxwood conditional on a commutable bus service.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy T2 Transport and Development

**Respondent:** Mr David Akerman [5091]

**Summary:**

There needs to be a specific plan for provision of clearly-defined cycle routes. I cannot find one in the documents. I have a specific issue - next point.

**Full text:**

There needs to be a specific plan for provision of clearly-defined cycle routes. I cannot find one in the documents. I have a specific issue - next point.

**Change suggested by respondent:**

The cycle route between Selsey and Chichester is inadequate. The link from Selsey to the Ferry only exists in the form of a substantial diversion via the caravan site and the Medmerry perimeter track, past the waste water treatment plant, to the Ferry. The route from the Ferry onwards involves a near-useless track alongside Pagham Harbour. It is too narrow for safe mixing of cyclists and pedestrians. Much of the route beyond that point involves some complex navigation along tracks and unclassified roads. In view of the fact the cycling along the B2145 is both risky and highly problematic for other road users (and especially emergency vehicles), it's time that specific plans were incorporated in the Plan for each such key cycle route in the CDC area.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy T2 Transport and Development

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Support is offered to this policy and its role in encouraging sound new developments.

**Full text:**

Support is offered to this policy and its role in encouraging sound new developments, but the Estate remains concerned that compliance is too easily claimed by developers without demonstrable evidence.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy T2 Transport and Development

**Respondent:** John Newman [8169]

**Summary:**

I like Policy T1 - I wish that I could believe it will really happen! I feel the same about Policy T2.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

**Document Element:** Policy T2 Transport and Development

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Matters to be addressed] Whilst the need to increase capacity of the transport network and reduce demand is agreed, improving road traffic capacity should not be the focus.

Existing Transport Assessment and Travel Plan processes are robust but unlikely to be sufficient to achieve net zero commitments and proposed housing and employment developments. It is recommended that all new developments generating significant demand deliver a Travel Plan, that is legally binding and site specific

Addressing issues with Travels Plans, such as varying quality, inadequate targets and complex monitoring arrangements, with insufficient guidance, skills and resources to manage, is critical to a 'monitor and manage' approach.

Plans will require coordination across the area, with the approach including enforcement with financial penalties.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for

further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
  - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
  - The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between

the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary



We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:****Recommend:**

- Developing a process to understand what is required to support developments. For example, evidence how each residential and industrial site is related to the infrastructure network using robust data, tested scenarios and appropriate planning assumptions.
- Applications are supported by a robust Transport Assessment to show individual and cumulative effects will not unacceptably impact on the safe operation of the A27 or severely impact congestion.
- Due to the proximity to the A27 we would support the requirement for all developments to submit Travel Plans of a standard acceptable to the Highway Authorities (WSCC and National Highways).
- As appropriate, National Highways would seek to be part of pre-planning scoping meetings or consultations to ensure that necessary highway and transport mitigation measures are properly considered;
- In all cases, use of planning conditions is recommended.

**Management measures (supported by enforcement) should include:**

- Phasing – delivery of new developments to align with the provision of new transport infrastructure and the outcomes of monitoring travel demand;
- Trigger points - agreed for milestones for each phase of each development;
- Monitoring – at each trigger point and annually at each site;
- Review to identify if further action and/or enforcement is required.
- Remedial action.

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:**Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy T2 Transport and Development**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]**Summary:**

We are concerned that the increase in housing will cause significant traffic problems through over capacity both on the A27 and other parts of the road network BEFORE any improvements can be made. The necessary road network improvements are totally dependent on developer contributions. This is a risky strategy.

There is not enough in the plan to provide new infrastructure or public transport services or reducing reliance on private cars. Too many houses are located in areas where cars will be used on a daily basis for education, employment, recreation and everyday facilities.

**Full text:**

We are concerned that the increase in housing will cause significant traffic problems through over capacity both on the A27 and other parts of the road network BEFORE any improvements can be made. The necessary road network improvements are totally dependent on developer contributions. This is a risky strategy.

There is not enough in the plan to provide new infrastructure or public transport services or reducing reliance on private cars. Too many houses are located in areas where cars will be used on a daily basis for education, employment, recreation and everyday facilities.

**Change suggested by respondent:**

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**Legally compliant:** Yes**Sound:** Yes**Comply with duty:** Yes**Attachments:** None

## Object

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**Document Element:** Policy T2 Transport and Development

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Support is offered to this policy and its role in encouraging sound new developments, but the Estate remains concerned that compliance is too easily claimed by developers without demonstrable evidence.

The plan should adopt a logical, common sense approach to compliance, judging accessibility and sustainability as would a 'man in the street' – the fact a development might be physically close, within reasonable walking distance of services, does not mean it will encourage people out of their cars when doing the weekly shop.

**Full text:**

Support is offered to this policy and its role in encouraging sound new developments, but the Estate remains concerned that compliance is too easily claimed by developers without demonstrable evidence.

**Change suggested by respondent:**

The Plan must be prepared to require minimum standards of provision and evidence of compliance from developers that reflect the individual requirements and consequences of the site and development form.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Policy T2 Transport and Development

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Convenient walking and cycling routes and availability of public transport should be more than a measurable distance, to include an assessment of the practicality and suitability of the routes as an alternative to use of the private car.

**Full text:**

New development in accessible locations is supported but the definition of accessibility should be examined in detail and explained through the plan, with reference to development locations.

Convenient walking and cycling routes and availability of public transport should be more than a measurable distance, to include an assessment of the practicality and suitability of the routes as an alternative to use of the private car.

**Change suggested by respondent:**

Convenient walking and cycling routes and availability of public transport should be more than a measurable distance, to include an assessment of the practicality and suitability of the routes as an alternative to use of the private car.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy T2 Transport and Development

**Respondent:** Deerhyde Limited [7657]

**Agent:** Vail Williams LLP (David Ramsay, Partner) [8134]

**Summary:**

The content of Policy T2 (transport development) is largely supported and considered sound save for the fact that it does not seem to cover the improvement of local transport routes, particularly those that would assist in improving the circulation of traffic around smaller settlements.

**Full text:**

I am pleased to attach our representations in response to the Chichester Local Plan Regulation 19 consultation. These representations are submitted on behalf of our clients Deerhyde Ltd. owners of land in Selsey and located in the area for a significant number of years.

The submitted documents include the following:

- Representations statement

- Plans showing the potential road widening of Golf Links Lane and Paddock Lane, Selsey
- Development potential of sites for residential development at Golf Links Lane and Old Farm Road, Selsey taking account of flood zones 2 and 3 (2 plans 15-085 SK03 and SK04)
- Plans showing access options to Golf Links Lane site
- Plan showing tracking analysis for low-loaders
- Junction analysis
- Submission form

As detailed in the attached, after careful consideration we have concluded that the housing strategy for Chichester is flawed in principle as it fails to allocate sufficient sites in outside Chichester City (or adjacent to) to allow the remainder of the District to continue to provide houses for local people in areas where they are most needed.

In addition, our clients have put forward a suggestion for an infrastructure improvement to Selsey – namely the widening of Golf Links Lane and Paddocks Lane to accommodate delivery of caravans / other HGV / LGVs but also to provide a wider carriageway which could potentially incorporate a pavement / footpath cycleway to aid safer conveyance of pedestrians and vehicles in the area. Adding in a safer highway solution would also encourage car users to walk or cycle for local trips rather than risking congestion in the car. It would have the added benefit of diverting caravan park traffic travelling from the north into the caravan parks earlier and thus relieving congestion of Selsey High Street.

## Introduction

1.1. Vail Williams LLP has been instructed by Deerhyde Ltd to submit representations to the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) document.

1.2. As per the Website, these comments seek to address the three questions namely:

1. Is it legally compliant?
2. Is it sound?
3. Does it comply with the duty to cooperate?

1.3. These representations are largely focussed on the provision of housing and ensuring that a satisfactory access (both vehicular and pedestrian) can be maintained and enhanced, particularly in Selsey.

1.4. These representations reflect the fact that our client, Deerhyde Ltd, owns a significant amount of land in the Selsey area, an interest which was acquired in 1986 but with family ownership going back many years before then.

1.5. Our clients have identified a potential opportunity to facilitate highway improvements within Selsey which would be to the benefit of both residents and tourists using the holiday parks and other attractions alike. This would particularly be of benefit given the Council's acknowledgement that the B2145 through Selsey is the busiest B road in the country. These representations bring into question the 'tests of soundness'. In particular regarding the questions as to whether it is 'sound' on the basis of whether it has been 'positively prepared', whether it is 'justified' and 'effective' in respect of the areas of concern raised with respect to employment land provisions.

1.6. As set out at Paragraph 35 of the NPPF local plans are required to be 'sound'. Plans are considered sound when the following applies:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs<sup>1</sup>; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy<sup>2</sup>, taking into account the reasonable alternatives<sup>3</sup>, and based on proportionate evidence<sup>4</sup>;
- c) Effective – deliverable over the plan period<sup>5</sup>, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.<sup>6</sup>

1.7. These representations seek to highlight that Chapter 5 (Housing) has not been positively prepared, in so far as it does not provide [1.] "a strategy which, as a minimum, seeks to meet the area's objectively assessed needs".

1.8. It is also considered that Chapter 5 is not justified as the housing strategy is [2.] is inappropriate as it relies on a number of large strategic sites, with multiple issues some of which are in conflict with other parts of the local plan.

1.9. Chapter 5 is also not justified with respect to its provisions do not [3.] take into account reasonable alternative sites.

1.10. It is considered on the basis of the other factors highlighted in these representations and the proposed housing land provision is not 'consistent with national policy' as the proposed provision does not enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant. It is considered that the proposed plans are contrary to the NPPF paragraph 16a, 16b, 16c, 16d and paragraph 20a

## 2 Local Plan Representations

2.1. Having reviewed the draft Local Plan we would make the following comments:

2.2. Paragraph 3.1 asserts the Government's encouragement for local planning authorities to ensure sustainable development is at the forefront when considering planning applications and that the National Planning Policy Framework (NPPF) defines sustainable development as "meeting the needs of the present without compromising the ability of future generations to meet their own needs". Paragraph 3.5 goes on to advise the range of factors as are informed the spatial strategy which underpins the local plan which, inter alia, "the pattern of need and demand for housing and employment across the area", "infrastructure capacity and constraints, in particular related to waste water treatment, roads and transport", "the availability of potential housing types, their deliverability and phasing" and this needs to take place whilst being mindful of the environmental constraints taking a sequential approach to avoiding flood risk areas, protect the environmental designations, landscape quality, the historic environment and settlement character.

2.3. The principles outlined above are supported as these are the key facets of good planning and plan making. However it falls to local authorities to ensure that the sustainable approach includes providing a sufficient supply of homes and facilitating a variety of sites to come forward where needed, and that the needs of groups within specific housing requirements are addressed and that land with permission is developed without unnecessary delay. (Paragraph 65). Paragraph 66 states that within the overall requirement [for housing] strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.

2.4. Paragraph 67 goes on, where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take account of factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

2.5. Paragraph 68 asserts that strategic policy making authorities should have a clear understanding of the land available in their area through the preparation of a Strategic Housing Land Availability Assessment (SHLAA). From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and locally economic viability.

2.6. Further guidance states (Paragraph 69) that small and medium sized sites can make an important [my emphasis] contribution to meeting the housing requirements of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites the local planning authority should identify sites of small and medium size and support the development of windfall sites through their promises and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes.

2.7. Neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites suitable for housing in their area. Paragraph 71 goes on: where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the SHLAA, historic windfall delivery rate and expected future trends.

2.8. Whilst it is noted that the delivery of large scale sites can result in the delivery of large numbers of new homes, it is apparent that such developments take considerable time to work their way through the planning system to an approval and even then are only at outline stage. The delivery of new homes is therefore reliant on the Councils to efficiently determine reserved matters applications and, thereafter, discharge of conditions, to allow a swift implementation of planning applications and a timely start on site for the delivery of housing.

2.9. The inclusion of small and medium sites (ie. not reliant on strategic sites) within the housing mix are invaluable in delivering housing quicker and potentially in places, perhaps outside the main settlements, which would allow new housing to be accessible to all which is one of the key facets of the NPPF.

2.10. This approach would assist with maintaining delivery of housing where existing allocations are either stalled or progressing slowly through the planning system or have simply been delayed in coming forward for perhaps other commercial reasons.

2.11. The plan is largely predicated on strategic sites, as detailed at Policy H2 which would provide 7,195 houses. This is a significant reliance on the strategic sites to deliver 75% of the overall housing target and much of them are predicated on the works to the A27 being completed in order to make them acceptable.

2.12. It should be noted that the above housing provision is predicated on the ability to identify mitigation for the impacts on the European environmental designations (including nutrient neutrality), addressing highway implications and negotiating the planning system.

#### The Manhood Peninsula

2.13. The preferred approached version of the Local Plan does include moderate growth for the settlement hubs of Selsey (250 dwellings) and East Wittering (350) and the service village of Hunston (200). However, since then several planning permissions have contributed to the moderate levels of growth on the Manhood Peninsula which the Council says has accounted for these housing numbers. The plan does not therefore include any strategic allocations on the

Manhood Peninsula in recognition of this recently permitted growth and the ongoing constraints the area faces, save for 50 dwellings to come forward at North Mundham.

2.14. This approach is not considered sound as a reason to prevent development of any scale on the Manhood Peninsula (particularly Selsey) for the plan period. As detailed above, it is essential that the plan allocates land across its settlement hierarchy in order to maintain a sustainable and deliverable approach to development and to assist the continuing evolution and economic viability of settlements which rely heavily on tourism and also on new development to maintain the supply of homes to provide options for all sectors of the local community to be able to live on the Peninsula should they so wish.

2.15. It is noted that at Policy S2 (settlement hierarchy), Selsey is listed as a “settlement hub” which is the second tier of settlement under Chichester city. Whilst this hierarchy, particularly in connection with Selsey is supported it is therefore surprising not to see more housing sites allocated within and around Selsey.

2.16. Given the potential number of environmental constraints on the Manhood Peninsula it is unlikely that sites of any excessive size would come forward and large numbers of dwellings would not necessarily result once the sites had taken account of their environmental constraints. That said, and as reflected above, sites of a size proportionate to their location but below “strategic” size can have an important part to play in the delivery of sufficient housing numbers in the right location at the right time in accordance with the NPPF.

## Housing

2.17. Policy H1 (meeting housing needs) sets out the housing requirement for the full plan period of 1 April 2021 to 31 March 2039 as 10,350 dwellings. This allocates 963 dwellings to the Manhood Peninsula and a windfall (small site allowance) allocation of 657 dwellings for the whole district. There are no strategic locations/allocations on the Manhood Peninsula under Policy H2 which is considered unsound, particularly given the position that Selsey holds in the settlement hierarchy. Furthermore, under Policy H3 (non-strategic parish housing requirements 2021-2039) Selsey has been allocated zero housing. Again, this is considered unsound as it prevents sustainable development and access to new houses for all settlements across the district.

2.18. An overreliance on consented sites coming forward to provide future housing is considered unsound as, in this case, it effectively prevents any further development on the Peninsula and in Selsey in particular.

## Transport

2.19. Policy T1 (transport infrastructure) is specifically aimed at ensuring that integrated transport measures will be developed to mitigate the impact of planned development on the highway network, improve highway safety and air quality, promote more sustainable travel patterns and encourage increased use of sustainable motor travel, such as public transport, cycling and walking.

2.20. The council will work with National Highways, WSCC, other transport and service providers and developers to provide a better integrated transport network and improve accessibility to key services and facilities. The policy lists seven ways in which the key objectives of reducing the need to travel by car, enabling access to sustainable means of travel, including public transport, walking and cycling; managing travel demands; and mitigating the impacts of travelling by car can be achieved.

2.21. Whilst it is not intended to go through all of these in this document it is noted that all parties are expected to support the four objectives by working with relevant providers to improve accessibility to key services and facilities which would be relevant to Selsey (see below).

2.22. The policy is also aimed at planning to achieve a timely delivery of transport infrastructure on the A27 and elsewhere on the network which is needed to support new housing, employment and other development identified in this plan. The phasing of delivery of new development to align with provision of new transport infrastructure such as improvements to the A27 and elsewhere on the highway network, will be key to managing impacts on the highway. This is yet another impediment to the delivery of a strategic allocations and larger scale development which would, by their very nature, generate a higher highway impact on the transport network than carefully planned smaller developments which could satisfy a much more localised need and be cause less impact on the strategic road network. The tariff proposals outlined at paragraph 8.20 only covers part of West of Chichester and Tangmere SDLs and not the other strategic sites outlined at Policy H2.

2.23. Critically it is also understood that Highways England has pulled funding for the improvements to the Bognor Road roundabout as part of a package of A27 improvements. On this basis it is unclear how further funding would be secured at this time.

2.24. The lack of soundness to the approach of significant reliance on strategic sites, due to the current lack of capacity of the A27, is evident in the text that accompanies the policy which states that opportunities to secure funding to implement this package of improvements will be maximised by working proactively with Government agencies, other

public sector organisations and private investors. Developer contributions from new development will also be sought. It is clear that smaller scale developments which would have a significantly lesser impact on the highway network could deliver housing quicker and with fewer constraints to implementation. It is for these reasons that smaller sites should be allocated, particularly in the Manhood Peninsula, for development.

2.25. The content of Policy T2 (transport development) is largely supported and considered sound save for the fact that it does not seem to cover the improvement of local transport routes, particularly those that would assist in improving the circulation of traffic around smaller settlements. The policy should be amended to specifically relate to local transport improvements which are locally important to aid traffic circulation and reduce congestion.

#### Neighbourhood Plan

2.26. The Selsey Neighbourhood Plan does not seek to allocate any sites or residential development, instead relying on those which were allocated in the previous local plan and, in particular, developments at Park Farm/Middle Field and Drift Field totalling 249 houses. It is assumed that this existing commitment accommodates the neighbourhood plan of 150 houses which is the justification for not allocating of residential development in the neighbourhood plan. However, this is short sighted as the neighbourhood plan runs to 2029 and, although development sites are largely controversial within smaller communities there is a lack of recognition of the requirement to provide new houses for existing and future residents (including descendants of current residents) in order to maintain the vitality and viability of the settlement outside of the tourist season where it is recognised that the local population will swell.

2.27. These points add further weight to the considered lack of soundness to the housing policies in the local plan which fail to recognise the need for smaller allocations within the Manhood Peninsula, particularly Selsey.

### 3 Local Infrastructure Provision

#### Selsey Road Improvements

3.1. Our clients wish to put forward a potential highway improvement scheme for Selsey which has come about given their extensive historic knowledge of the town and experience of significant congestion along Selsey High Street as a result of an over-reliance of this route by traffic using the caravan parks. It would be a common sense alternative route (to using High Street) which will alleviate congestion along Selsey High Street/School Lane/Paddock Lane/Warners Lane, particularly during the summer months.

3.2. The local plan focusses its attention on the need to improve the strategic highway network but this proposal would provide a significant benefit at a local level in Selsey. As per the attached plan, our clients propose to widen Golf Links Lane from its junction with the B2145 Chichester Road to its junction with Paddock Lane, then widen Paddock Lane and make it up to adoptable standard to enable delivery of holiday traffic to the point where it meets the north eastern corner of White Horse Caravan Park, from which point the road has been made up to carry holiday traffic. At the moment, the northern section of Paddock Lane is just a rough track which is not suitable for ordinary road traffic. It is envisaged that, in conjunction with the owner of the largest caravan parks, Warner's Lane will also be improved. It is currently a tarmac road in poor condition with no footways and one section is too narrow to allow two vehicles to pass each other. This is not satisfactory for the major access route to the largest caravan parks.

3.3. Golf Links Lane is currently a single track, tarmac road which is in poor condition. It is two-way but much of it is too narrow to allow two vehicles to pass each other. It serves Northcommon Farm, a small housing development on the northern side, Selsey Golf Club and Selsey Country Club (which comprises c.300 holiday chalets and an associated licensed club). If it were to be made up to adoptable standard to the point where it meets Paddock Lane, it would improve access for existing users but, importantly, it would also create a more direct access route (in conjunction with Paddock Lane) for traffic associated with thousands of holiday caravans as well as a touring caravan park.

3.4. Given that a large proportion of holiday traffic and other tourist industry-related traffic (HGVs carrying food and drink, caravan transporters, tractor/trailer transport and public transport) use the route along High Street/School Lane/Paddock Lane/Warners Lane it is considered that this could be diverted from the B2145 Chichester Road further north than Selsey High Street, thus taking traffic away from the congested High Street. An easier, more direct route to the major caravan parks would be an attractive alternative.

3.5. The mechanism to deliver such a proposal is not yet the subject of formal agreement. A large proportion of the land required to widen the roads is within the ownership of Deerhyde Limited (our clients) and the owner of the major caravan parks. The latter has been very supportive of the proposal verbally. A short section of land is not in any specific ownership but our clients have long-standing rights over its use, which can be traced back to 1830. Our clients are serious about facilitating these highway improvements, including the use of their land, which will inevitably have a significant financial impact upon them.

#### Potential Residential Development Sites

3.6. In order to mitigate the financial impact including both the loss of their land and the implementation of the proposed highway improvements our clients would like to promote two sites for residential development, namely land north of Golf

Links Lane (13.5 acres/5.46 hectares) and land west of Old Farm Road for residential development. Whilst the north western corner of the site is located within Flood Zones 2 and 3 it is considered that the developable area of the site would be approximately 4 hectares and could therefore deliver approximately 120 to 140 dwellings. This includes retaining the existing boundary screening along the south eastern boundary and avoiding Flood Zones 2 and 3. An indicative plan is attached to this statement.

3.7. Thawscroft Ltd, an associated company, also owns land west of Old Farm Road, Selsey (2.8ha / 6.9 acres) which taking account of the flood risk constraints along its western boundary could accommodate approximately 50 dwellings. An indicative plan is attached to this statement.

3.8. Having reviewed the planning history of the site it is noted that a planning application (under the name of Thawscroft Limited) was made in December 2016, refused in June 2017 and the appeal was dismissed on 11 June 2018.

3.9. The reasons for refusal related to the following:

1. Site is located outside the defined settlement boundary for Selsey.

2. When the planning officer was giving evidence, he stated that he knew of an alternative site at lower risk of flooding but he would not identify it. After the appeal, an area of land north of Park Lane was identified for 250 houses. The land in question becomes waterlogged in the winter and is highly prone to surface water flooding. It is also only about 250m from Pagham Harbour, a site of major ecological importance with a significant level of protection afforded to it. The planning officer said the real issue with our appeal was one of numbers so it seemed curious to me that a site with a much larger number (250) was identified soon afterwards. Also, the land south of Park Lane (similarly prone to surface water flooding) was in the numbers for 2015/20 but in fact could not be started until 2021 so the planning inspector was misled. I believe that was crucial to the outcome. Landlink have proposed land west of the "Wave" roundabout (opposite Asda). This may be as an alternative for the land north of Park Lane. Neither parcel would be a good fit in the settlement policy area, whereas the land to the west of Old Farm Road would be, a fact acknowledged by planning officers in the past.

3. We did in fact offer to provide contributions towards improving the A27 so that reason for refusal was withdrawn prior to the appeal being heard.

4. As far as I can recall, the Council was content with our proposals in these matters at the time the appeal was heard. The criticism was that the need to avoid Flood Zones 2 and 3 created a narrow site which meant that the layout was said to be cramped. It could be that, with a smaller number of houses, MH Architects could provide an improved layout. Maybe this is reflected in the plan to which Vail Williams refer in paragraph 3.13.

3.10. It is considered that, as detailed above, given the Council's approach to an over-reliance on large strategic sites to fulfil its housing need and the lack of sites identified for development on the Manhood Peninsula (and in Selsey in particular) during the plan period this site could be proven to be an appropriate location for development as a "windfall site" to help maintain housing supply whilst the strategic sites are in the planning system.

3.11. It is considered the dwellings on the site could be laid out to avoid the Flood Zones 2 and 3 and therefore be at considerably less flood risk than the proposal which was dismissed at appeal. This is set out in the enclosed plan. This would overcome reason for refusal 2.

3.12. Reasons for refusal 3 and 4 would be overcome through the agreement of under Section 106 of the Town & Country Planning Act to provide contributions towards the improvement to the A27 on a proportionate basis to the size of the site and the number of dwellings and also the relevant number of affordable housing units required by policy (or justified as part of a viability exercise). Other matters such as the management of the landscaping, open space, buffers and drainage infrastructure could also be secured by the Section 106 agreement.

3.13. We commend the above highways solution and subsequent development sites to officers in consideration of the draft Local Plan.

#### 4 Conclusions

4.1. It is clear that whilst the overarching strategy of the location of the majority of development in the largest urban settlement of Chichester or adjacent to it is sound the lack of allocation of significant housing numbers to those areas outside Chichester is unsound. This would mean that the vast majority of the district would attract very little housing over the planning period to 2039 thus ensuring that existing settlements would not evolve and would potentially shrink as existing residents and descendants of residents migrate to the Chichester or its strategic urban extensions.

4.2. Outside Chichester, the strategic proposals for Southbourne and Tangmere are similarly isolated. The Manhood Peninsula is particularly lacking in the provision of additional housing sites during the plan period with the justification provided that, for Selsey in particular, recent planning permissions which are being built or have been completed would accommodate all of the housing need going forward for the plan period.



4.3. This approach is flawed for two main reasons (making the Local Plan unsound):

1. The over-reliance on strategic allocations which themselves are constrained by the capacity issues on the A27 and environmental issues such as nitrate neutrality (and any future water neutrality issues which migrate south from the north of Chichester) and the usual impacts on the European sites could mean that these sites are slower in being delivered with little in the way of alternatives allowed for in the local plan.
2. The failure to acknowledge any future development potential of note within the Manhood Peninsula and in particular Selsey will constrain the continued vitality and viability of the settlements within the Manhood Peninsula, particularly following the pandemic when the service sectors are struggling. Taking into account that Selsey in particular but other settlements along the coast within the Manhood Peninsula are reliant on seasonal tourist activity, additional residents are relied upon outside these times in order to provide income for those businesses which may struggle to survive outside the holiday seasons. An effective block on development would significantly reduce the potential future viability of these settlements outside the tourist season.

4.4. The emphasis on the stated urban-focussed housing strategy encourages neighbourhood planning groups/parish and town councils to maintain an opposition to the relevant rather than a proactive policy framework to direct appropriate development within their areas.

4.5. Our clients have detailed above one way which their land could be used in conjunction with others to facilitate a local infrastructure improvement to assist traffic circulation and access in and around Selsey itself which would need to be funded by future residential development and we commend this proposal to you for further consideration.

4.6. We trust that officers will take these representations into account and we look forward to receiving confirmation that the representations have been duly made.

#### Change suggested by respondent:

The policy should be amended to specifically relate to local transport improvements which are locally important to aid traffic circulation and reduce congestion.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

Local Plan Reg 19 Representation Form - Chichester Local Plan - <https://chichester.oc2.uk/a/sjm>

15-085\_SK03\_Image - <https://chichester.oc2.uk/a/sjy>

22-0360 SK02 - Potential Site Access Option 2 - <https://chichester.oc2.uk/a/sjq>

22-0360 sk03\_DRAFT - Potential Site Access - Paddock Lane - <https://chichester.oc2.uk/a/skr>

22-0360 SP01\_DRAFT - Paddock Lane - SPA Inbound - <https://chichester.oc2.uk/a/sks>

22-0360 SPP02\_DRAFT - Paddock Lane - SPA Outbound - <https://chichester.oc2.uk/a/skt>

23 01 03\_22-0360\_TFD - <https://chichester.oc2.uk/a/sk3>

23 01 04\_B2145-Golf Links Lane - <https://chichester.oc2.uk/a/sk4>

15-085\_SK04\_A.pdf - <https://chichester.oc2.uk/a/spc>

Representations to the Chichester Local Plan - March 2023 - Deerhyde Ltd -

<https://chichester.oc2.uk/a/spd>

## Object

**Document Element:** Policy T2 Transport and Development

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

Traffic issues are already significant in the plan area. The proposed East West corridor new homes numbers are going to cause many more traffic problems and much more frequent congestion BEFORE any recognised as essential improvements will be delivered. Being massively dependent on developer contributions is a strategy fraught with risk. The highlighted phrases in the T2 objectives reveal a distinct lack of local knowledge.

#### Full text:

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future

because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of “cart before the horse” thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District’s population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council’s record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to ‘Hold the Line’ vs. ‘Managed Retreat’ in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city’s ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called ‘resilient road’ with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the “most crash prone A road” in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability

to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy T2 Transport and Development

**Respondent:** Stagecoach South (Rob Vince) [8141]

#### Summary:

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan’s own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan’s Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

#### Full text:

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

#### 1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has

headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways

capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”  
Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress is delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common,



leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the ‘Five Villages’ area in Arun District.” We unequivocally endorse this conclusion. Realising a “game-changing” level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be “enhanced” and “reinforced”.

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport

and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

### 3.1. Policy S1 Spatial Development Strategy

#### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

### 3.2. Policy S2 Settlement Hierarchy

#### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

## 4. Climate Change and the Natural Environment

### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable

highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

"4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant."

This is a retroactive approach – it is not "planning", based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement

that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

“5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa.”

Whether the rest of the local road network is similarly protected is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time the current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first through maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: “New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas.” (our emphasis).

It continues at paragraph 13: “where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people’s mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified.” (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that “includes moving away from transport planning based on predicting future demand to provide capacity (‘predict and provide’) to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including ‘vision and validate,’ ‘decide and provide’ or ‘monitor and manage’). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages.” (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN “Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include

measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference.” (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;

2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car.”

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of



being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d’être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

7.2. Policy T1 Transport infrastructure  
Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust

modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable modes including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

• Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council’s aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar of reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for

a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, un specific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

- " ...
- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.
- " ..."

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.  
...(re number remaining points)

### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the



Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

"...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

..."

#### 9.5. Policy A7 Land at Shopwhyke

##### Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lies on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“...  
12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
...”

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“...  
9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;  
...”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate

measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

"...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

"..."

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

"...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus

advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

## 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

Section 1 b) of T2 should be modified to read:

"b) The use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Support

**Document Element:** Policy T2 Transport and Development

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

#### Summary:

Parts of policy strongly supported. Wording changes set out in additional rep - 5918.

#### Full text:

See attached.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy T2 Transport and Development

**Respondent:** Network Rail (Sam Bhatti, Graduate Surveyor) [8048]

#### Summary:

References should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time. The provision of amenities and leisure facilities within a 15-minute walk should be a cornerstone idea that drives mid to long term infrastructure goals for Chichester. Owing to the considerable amount of development anticipated by the Council, there is ample opportunity for local businesses and retailers to provide services within these local neighbourhoods.

#### Full text:

Thank you for consulting Network Rail on the above consultation, I can confirm we wish to make the following comments.

Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland, and

Wales. As statutory undertaker, Network Rail is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.

Having been in consultation with the train operating company, Southeastern Rail, of particular interest to Network Rail is the need to integrate active travel infrastructure and promote First and Last Mile principles. In addition, the impact of development on train stations and existing level crossings.

#### First and Last Mile Considerations

We encourage the Council to consider not only the impact of development on the railway itself, but also on the first and last mile element of passengers' journeys. This factors in access to and from the railway, as well as how other transport modes are integrated and how well communities are connected.

Failure to integrate this represents an issue for rail travel as people who start journeys by car will likely continue to drive rather than stop to change to the train, as the cost and time of parking and train tickets offer no benefit to them.

Developing access to the railway using first and last mile principles has several benefits, including:

- Aligning with local and national policy to reduce carbon emissions and meet netzero targets, by encouraging more active modes of transport such as walking and cycling
- Providing a seamless journey experience where various modes of transport are integrated, including bus and rail services
- Providing an accessible and inclusive offering of transport modes to both local residents and visitors
- Improving connections between communities which may not be as well-served by public transport

While infrastructure and transport services may be identified as areas for improvement, there may be other, smaller scale enhancements that can be made such as better provision of information or additional cycle racks. Network Rail's Planning team welcome further discussions with the council to gain a better understanding of how we can work together to improve access to the railway and integrate first and last mile thinking into the scheme plans, taking into account the various component parts of passengers' journeys and wider plans for the local area.

Policy T3 Active Travel – this has the broad support of Network Rail but should be strengthened to reflect walking/cycling as the first choice for local journeys; and for longer journeys part of an integrated bus/train transport chain that allows people to continue seamlessly.

Network Rail will support planning schemes within active travel distance of railway stations that provide continuous, direct and safe pedestrian/cycle routes that will serve rail passengers. Pedestrian routes should be prioritised over vehicles, meaning all schemes should be designed so that vehicles wait for walkers/cyclists, not the other way around.

#### Transport Infrastructure

Accessibility should be built into new development in the form of active travel networks, which will enhance permeability in people's transitions between areas. Development requiring additional road capacity should not go ahead, except as a last resort.

Policy T1 – in general this is supported. References to a 'coordinated package of infrastructure improvements' along the A27 should be replaced with a 'coordinated package of active travel and public transport improvements infrastructure', as this is more specific in emphasising that car transport should be minimised as much as possible.

Policies T2 and I1 – in general these are supported in the sense they promote seamless and continuous active travel arrangement and minimise car use. However, references should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time. The provision of amenities and leisure facilities within a 15-minute walk should be a cornerstone idea that drives mid to long term infrastructure goals for Chichester. Owing to the considerable amount of development anticipated by the Council, there is ample opportunity for local businesses and retailers to provide services within these local neighbourhoods.

#### Railway Station Considerations

As a public funded company, Network Rail has responsibilities to spend public funds efficiently which consequently means we do not have the funds available to mitigate the impact of third-party development on railway stations. Where a significant amount of rail trips are generated by a third-party development, Network Rail expect that the development provides a contribution to mitigate the addition usage, ensuring that the rail network can continue to operate effectively. The contributions will encourage greater use of public transport by enhancing the rail experience for passengers.

The Local Plan has proposed site allocations across the district, for this reason the resulting increase to the use of stations should be recognized and mitigated against so that rail travel remains an attractive mode of transport. Failure to upgrade stations will result in less rail passengers which is counter productive to the Council's goals of a thriving public



transport system.

Southbourne and Fishbourne Stations - Network Rail have concerns about the impact of future development on Southbourne and Fishbourne stations. As the stations themselves are small-sized, large-scale accessibility improvements would be potentially difficult. As a result, the provision of cycle parking facilities at both stations should be considered as crucial by the Council to ensure the station environment continues to modernize and encourage passenger use. This also ensures the stations integrate with proposed cycle/pedestrian routes across the area.

#### Level Crossing Considerations

As part of Network Rail's license to operate and manage Britain's railway infrastructure, Network Rail have the legal duty to protect rail passengers, the public, the railway workforce, and to reduce risk at our level crossings so far as is reasonably practicable.

Improving Level Crossing safety is therefore one of Network Rail's key priorities.

Closing level crossings is the only way to fully eradicate the risk. However, it is not always possible or practicable to immediately close all level crossings. Aside from financial and practical constraints, user convenience still needs to be a key consideration. A broad range of targeted interventions and initiatives are therefore needed to manage safety at crossings which remain open.

Any new development would need to provide an assessment of the impact on any nearby Level Crossings and in some cases, planning obligations may be required to mitigate the impacts on it.

Policy A13 Southbourne Broad Location for Development - Several strategic sites have been identified across the district, with a significant amount west of Chichester which require reconsideration. Policy A13, which proposes 1050 new homes, will result in significant upturns in use of the Penny Lane and Church crossings, which are currently public footpath crossings and have high risk factors. Large-scale development could therefore warrant closure or installation of a footbridge. The Council should be aware of this as these projects are costly and would require requisite funding.

Network Rail are in the process of completing a risk assessment on the affected crossings. However, for context we recently reviewed the Copse level crossing (located approximately 1.9km eastwards from Penny Lane) which resulted in a 300% use increase from a 112home development (Planning Application SB/22/01283/FULEIA).

#### Change suggested by respondent:

References should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan Response - <https://chichester.oc2.uk/a/spn>

## Object

**Document Element:** Policy T2 Transport and Development

**Respondent:** Network Rail (Sam Bhatti, Graduate Surveyor) [8048]

#### Summary:

Network Rail have concerns about the impact of future development on Southbourne and Fishbourne stations. As the stations themselves are small-sized, large-scale accessibility improvements would be potentially difficult.

#### Full text:

Thank you for consulting Network Rail on the above consultation, I can confirm we wish to make the following comments.

Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland, and Wales. As statutory undertaker, Network Rail is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.

Having been in consultation with the train operating company, Southeastern Rail, of particular interest to Network Rail is the need to integrate active travel infrastructure and promote First and Last Mile principles. In addition, the impact of development on train stations and existing level crossings.

#### First and Last Mile Considerations

We encourage the Council to consider not only the impact of development on the railway itself, but also on the first and last mile element of passengers' journeys. This factors in access to and from the railway, as well as how other transport modes are integrated and how well communities are connected.

Failure to integrate this represents an issue for rail travel as people who start journeys by car will likely continue to drive rather than stop to change to the train, as the cost and time of parking and train tickets offer no benefit to them.

Developing access to the railway using first and last mile principles has several benefits, including:

- Aligning with local and national policy to reduce carbon emissions and meet netzero targets, by encouraging more active modes of transport such as walking and cycling
- Providing a seamless journey experience where various modes of transport are integrated, including bus and rail services
- Providing an accessible and inclusive offering of transport modes to both local residents and visitors
- Improving connections between communities which may not be as well-served by public transport

While infrastructure and transport services may be identified as areas for improvement, there may be other, smaller scale enhancements that can be made such as better provision of information or additional cycle racks. Network Rail's Planning team welcome further discussions with the council to gain a better understanding of how we can work together to improve access to the railway and integrate first and last mile thinking into the scheme plans, taking into account the various component parts of passengers' journeys and wider plans for the local area.

Policy T3 Active Travel – this has the broad support of Network Rail but should be strengthened to reflect walking/cycling as the first choice for local journeys; and for longer journeys part of an integrated bus/train transport chain that allows people to continue seamlessly.

Network Rail will support planning schemes within active travel distance of railway stations that provide continuous, direct and safe pedestrian/cycle routes that will serve rail passengers. Pedestrian routes should be prioritised over vehicles, meaning all schemes should be designed so that vehicles wait for walkers/cyclists, not the other way around.

#### Transport Infrastructure

Accessibility should be built into new development in the form of active travel networks, which will enhance permeability in people's transitions between areas. Development requiring additional road capacity should not go ahead, except as a last resort.

Policy T1 – in general this is supported. References to a 'coordinated package of infrastructure improvements' along the A27 should be replaced with a 'coordinated package of active travel and public transport improvements infrastructure', as this is more specific in emphasising that car transport should be minimised as much as possible.

Policies T2 and I1 – in general these are supported in the sense they promote seamless and continuous active travel arrangement and minimise car use. However, references should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time. The provision of amenities and leisure facilities within a 15-minute walk should be a cornerstone idea that drives mid to long term infrastructure goals for Chichester. Owing to the considerable amount of development anticipated by the Council, there is ample opportunity for local businesses and retailers to provide services within these local neighbourhoods.

#### Railway Station Considerations

As a public funded company, Network Rail has responsibilities to spend public funds efficiently which consequently means we do not have the funds available to mitigate the impact of third-party development on railway stations. Where a significant amount of rail trips are generated by a third-party development, Network Rail expect that the development provides a contribution to mitigate the addition usage, ensuring that the rail network can continue to operate effectively. The contributions will encourage greater use of public transport by enhancing the rail experience for passengers.

The Local Plan has proposed site allocations across the district, for this reason the resulting increase to the use of stations should be recognized and mitigated against so that rail travel remains an attractive mode of transport. Failure to upgrade stations will result in less rail passengers which is counter productive to the Council's goals of a thriving public transport system.

Southbourne and Fishbourne Stations - Network Rail have concerns about the impact of future development on Southbourne and Fishbourne stations. As the stations themselves are small-sized, large-scale accessibility improvements would be potentially difficult. As a result, the provision of cycle parking facilities at both stations should be considered as crucial by the Council to ensure the station environment continues to modernize and encourage passenger use. This also ensures the stations integrate with proposed cycle/pedestrian routes across the area.

#### Level Crossing Considerations

As part of Network Rail's license to operate and manage Britain's railway infrastructure, Network Rail have the legal duty to protect rail passengers, the public, the railway workforce, and to reduce risk at our level crossings so far as is reasonably practicable.

Improving Level Crossing safety is therefore one of Network Rail's key priorities.

Closing level crossings is the only way to fully eradicate the risk. However, it is not always possible or practicable to immediately close all level crossings. Aside from financial and practical constraints, user convenience still needs to be a key consideration. A broad range of targeted interventions and initiatives are therefore needed to manage safety at crossings which remain open.

Any new development would need to provide an assessment of the impact on any nearby Level Crossings and in some cases, planning obligations may be required to mitigate the impacts on it.

Policy A13 Southbourne Broad Location for Development - Several strategic sites have been identified across the district, with a significant amount west of Chichester which require reconsideration. Policy A13, which proposes 1050 new homes, will result in significant upturns in use of the Penny Lane and Church crossings, which are currently public footpath crossings and have high risk factors. Large-scale development could therefore warrant closure or installation of a footbridge. The Council should be aware of this as these projects are costly and would require requisite funding.

Network Rail are in the process of completing a risk assessment on the affected crossings. However, for context we recently reviewed the Copse level crossing (located approximately 1.9km eastwards from Penny Lane) which resulted in a 300% use increase from a 112home development (Planning Application SB/22/01283/FULEIA).

#### Change suggested by respondent:

As a result, the provision of cycle parking facilities at both stations should be considered as crucial by the Council to ensure the station environment continues to modernize and encourage passenger use. This also ensures the stations integrate with proposed cycle/pedestrian routes across the area.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan Response - <https://chichester.oc2.uk/a/spn>

## Support

**Document Element:** Policy T2 Transport and Development

**Respondent:** Network Rail (Sam Bhatti, Graduate Surveyor) [8048]

#### Summary:

In general [Policy T2 is] supported in the sense it promotes seamless and continuous active travel arrangement and minimise car use.

#### Full text:

Thank you for consulting Network Rail on the above consultation, I can confirm we wish to make the following comments.

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Having been in consultation with the train operating company, Southeastern Rail, of particular interest to Network Rail is the need to integrate active travel infrastructure and promote First and Last Mile principles. In addition, the impact of development on train stations and existing level crossings.

#### First and Last Mile Considerations

We encourage the Council to consider not only the impact of development on the railway itself, but also on the first and last mile element of passengers' journeys. This factors in access to and from the railway, as well as how other transport modes are integrated and how well communities are connected.

Failure to integrate this represents an issue for rail travel as people who start journeys by car will likely continue to drive rather than stop to change to the train, as the cost and time of parking and train tickets offer no benefit to them.

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Policy A13 Southbourne Broad Location for Development - Several strategic sites have been identified across the district, with a significant amount west of Chichester which require reconsideration. Policy A13, which proposes 1050 new homes,

will result in significant upturns in use of the Penny Lane and Church crossings, which are currently public footpath crossings and have high risk factors. Large-scale development could therefore warrant closure or installation of a footbridge. The Council should be aware of this as these projects are costly and would require requisite funding.

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**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan Response - <https://chichester.oc2.uk/a/spn>

## Support

**Document Element:** Policy T2 Transport and Development

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. This policy is Chichester-centric; WG residents have no option other than to rely upon private cars.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. This policy is Chichester-centric; WG residents have no option other than to rely upon private cars.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy T2 Transport and Development

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

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**Full text:**

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**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy T2 Transport and Development

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

Rolls-Royce Motor Cars (R-RMC) supports the Council's commitment to securing safe, sustainable, connected and accessible transport options in the district. R-RMC wishes to encourage the Council to ensure that transport mitigation sought from development is proportionate, reasonable and directly related to the development. While cumulative impact is an important consideration, individual sites should not be burdened with a requirement to mitigate all cumulative impact singlehandedly. This would be inconsistent with national policy and the planning obligations tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

**Full text:**

Rolls-Royce Motor Cars (R-RMC) supports the Council's commitment to securing safe, sustainable, connected and accessible transport options in the district. This reflects national objectives and ensures that development is designed to consider and mitigate its transport impacts. R-RMC wishes to encourage the Council to ensure that transport mitigation sought from development is proportionate, reasonable and directly related to the development. While cumulative impact is an important consideration, individual sites should not be burdened with a requirement to mitigate all cumulative impact singlehandedly. This would be inconsistent with national policy and the planning obligations tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy T2 Transport and Development

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway support the intent and approach of draft Policy T2. There is some overlap with draft Policy P4 titled 'layout and access' albeit this needn't detract from the fact that the policy has been positively prepared and is broadly consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy T2 Transport and Development

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

(1)(i) should be expressed as preference of council, not binary requirement -may be subject to design considerations on site-by-site basis. Term 'accessing' is ambiguous, could refer to other modes of transport. Point 2. mentions adoption of a specific threshold of impact which is not defined for either Transport Statements or Assessments. Further clarification required. In 3. Should also be recognised that monitoring would offer an opportunity for Travel Plan targets to be reviewed regularly to ensure they remain relevant or can respond to exogenous factors/external influences. Conditions at time of production of Travel Plan may change in the future.

**Full text:**

See attachment.

**Change suggested by respondent:**

Suggest at (1)(a) Council consider replacing 'reduce' by 'minimise', as to 'reduce' implies that this should be from a specific baseline, when in fact sustainable developments will be designed to include this objective at the outset.

(1)(i) Use wording 'delivery access and servicing'.

(1)(j), suggest that 'Provide' is replaced by 'Provide or contribute towards' to provide flexibility for development to jointly fund specific mitigation measures.

Consider adding the following bullet:

"3. d) appoint a Travel Plan Co-ordinator whose role will be to oversee the implementation of the Travel Plan and use the outcome of monitoring to review its targets to ensure continued relevance".

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/smp>

## Support

**Document Element:** Policy T2 Transport and Development

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England welcomes the extensive references across this policy (and policies T2 and T3) to reductions in car use, increased provision of sustainable transport choices and increased opportunities for active travel.

**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and

Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>



## Object

**Document Element:** Policy T2 Transport and Development

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

1a Strongly support, it is critical that all development is designed "to avoid and/or reduce the need to travel by car and incorporate measures..... that decrease traffic speeds and flows.

1b Strongly support,

1c This needs to be stronger than promoting active travel. Active travel infrastructure must not just be incorporated, but must be the core of the access within the development and between the development and places people need to access, especially bus stops and railway stations. The active travel routes must be direct, and we must understand by coherent, that these must be continuous, because as soon as an active travel route is interrupted by a road people, especially parents consider them not safe which increases car use. The design must be for the motor vehicle to give way before crossing the active travel route not the other way around.

1d Strongly support

1e Must be strengthened to say "Provide safe access to the highway for all users with Hierarchy of Road User built into the design, retrospectively if necessary"

1f Focus must be based on space for Active travel, into which vehicles require space to manoeuvre without compromising safety of people in the street walking, cycling or children playing.

Support the landscaping parts of 1f

1g Policy T4 and West Sussex County Council Guidance needs changing to facilitate modal shift to active travel and public transport, people should pay the economic price for parking space.

1h Support

1i Support

2.1 Is there no 2.1?

2.2 Support

3 Support

3. Support

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Support

**Document Element:** Background, 8.24

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

Agree

**Full text:**

Agree

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 8.24

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

Again, i support Active travel. However, for me this means cycling. Currently Chichester is one of the most cycle unfriendly cities i have ever visited. You cannot safely cycle from West to East across the city. Next time you visit the retail park (John Lewis, P C World etc), count the bikes. You will probably only need the fingers of one hand.

**Full text:**

Again, i support Active travel. However, for me this means cycling. Currently Chichester is one of the most cycle unfriendly cities i have ever visited. You cannot safely cycle from West to East across the city. Next time you visit the retail park (John Lewis, P C World etc), count the bikes. You will probably only need the fingers of one hand.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 8.24

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

8.24-8.27 is supported, however is undermined by the traffic generating policies that need amending as outlined in other representations.

**Full text:**

See attached.

**Change suggested by respondent:**

The Chichester\_City\_LCWIP\_Appendix\_B\_Cycling\_revised\_final\_edit.pdf needs updating.

Background needs to add "Active Travel, walking and cycling is critical to achieving modal shift away from motor vehicles for local journeys and for longer journeys using public transport.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Support

**Document Element:** Background, 8.25

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

Agree

**Full text:**

Agree

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 8.25

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

Agree

**Full text:**

Agree

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 8.26

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

Agree. LCWIP is an excellent piece of work, but it needs to be implemented, and housing put on hold until it has been,

**Full text:**

Agree. LCWIP is an excellent piece of work, but it needs to be implemented, and housing put on hold until it has been,

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 8.26

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

Strongly support Gear Change and LTN 1/20. Where there is a cycle lane it must give priority to cyclists when travelling along the direction of the main road including over all side roads and car entrances. See Westhampnett cycle route for an example of how NOT to do it! You even have to give way to motor vehicles going into the back entrance to Jewsons. No wonder cyclists continue to stay on the main road. At least cars coming in from side roads have to give way to you even if it is risky mixing with the cars.

**Full text:**

Strongly support Gear Change and LTN 1/20. Where there is a cycle lane it must give priority to cyclists when travelling along the direction of the main road including over all side roads and car entrances. See Westhampnett cycle route for an example of how NOT to do it! You even have to give way to motor vehicles going into the back entrance to Jewsons. No wonder cyclists continue to stay on the main road. At least cars coming in from side roads have to give way to you even if it is risky mixing with the cars.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 8.27

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

Support in principle

**Full text:**

Agree.

- 1) We need segregated cycle lanes and they need to be wide enough. But what if there isn't the space? This is an omission from the plan. It needs to be added: " In the event of insufficient width for LTN1/20 compliant segregated cycle lanes, traffic calming and 20 mph zones must be introduced rather than a break in the cycle route"
- 2) No new housing until LTN1/20 compliant cycle lanes are in place that allow travel from the development to the nearest large town.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 8.27

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

- 1) We need segregated cycle lanes and they need to be wide enough. But what if there isn't the space? This is an omission from the plan.
- 2) No new housing until LTN1/20 compliant cycle lanes are in place that allow travel from the development to the nearest large town.

**Full text:**

Agree.

- 1) We need segregated cycle lanes and they need to be wide enough. But what if there isn't the space? This is an omission from the plan. It needs to be added: " In the event of insufficient width for LTN1/20 compliant segregated cycle lanes, traffic calming and 20 mph zones must be introduced rather than a break in the cycle route"
- 2) No new housing until LTN1/20 compliant cycle lanes are in place that allow travel from the development to the nearest large town.

**Change suggested by respondent:**

It needs to be added: " In the event of insufficient width for LTN1/20 compliant segregated cycle lanes, traffic calming and 20 mph zones must be introduced rather than a break in the cycle route"

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

Agree. However, the cycle infrastructure needs to be in place before a single house is sold. Also, priority to active travel needs to be more than just lip service. If there is a side road, the cycle lane going in the direction of the main road needs priority.

If a strategic cycle route needs to cross a road, a combined wombat crossing should be the default (similar to a zebra crossing but combined with a cycle crossing in its own lane, both on a raised platform).

**Full text:**

Agree. However, the cycle infrastructure needs to be in place before a single house is sold. Also, priority to active travel needs to be more than just lip service. If there is a side road, the cycle lane going in the direction of the main road needs priority.

If a strategic cycle route needs to cross a road, a combined wombat crossing should be the default (similar to a zebra crossing but combined with a cycle crossing in its own lane, both on a raised platform).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Tiger Crossing Portsmouth.PNG - <https://chichester.oc2.uk/a/qd>

Wombat crossing Sydney.PNG - <https://chichester.oc2.uk/a/qw>

Traffic Calming Sydney.PNG - <https://chichester.oc2.uk/a/qf>

More Traffic calming Sydney.PNG - <https://chichester.oc2.uk/a/qg>

## Support

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

Support in principle.

**Full text:**

Agree. However, the cycle infrastructure needs to be in place before a single house is sold. Also, priority to active travel needs to be more than just lip service. If there is a side road, the cycle lane going in the direction of the main road needs priority.

If a strategic cycle route needs to cross a road, a combined wombat crossing should be the default (similar to a zebra crossing but combined with a cycle crossing in its own lane, both on a raised platform).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Tiger Crossing Portsmouth.PNG - <https://chichester.oc2.uk/a/qd>

Wombat crossing Sydney.PNG - <https://chichester.oc2.uk/a/qw>

Traffic Calming Sydney.PNG - <https://chichester.oc2.uk/a/qf>

More Traffic calming Sydney.PNG - <https://chichester.oc2.uk/a/qg>

## Object

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** Mr David Akerman [5091]

**Summary:**

There needs to be a specific plan for provision of clearly-defined cycle routes. I cannot find one in the documents.

**Full text:**

There needs to be a specific plan for provision of clearly-defined cycle routes. I cannot find one in the documents. I have a specific issue - next point.

**Change suggested by respondent:**

The cycle route between Selsey and Chichester is inadequate. The link from Selsey to the Ferry only exists in the form of a substantial diversion via the caravan site and the Medmerry perimeter track, past the waste water treatment plant, to the Ferry. The route from the Ferry onwards involves a near-useless track alongside Pagham Harbour. It is too narrow for safe mixing of cyclists and pedestrians. Much of the route beyond that point involves some complex navigation along tracks and unclassified roads. In view of the fact the cycling along the B2145 is both risky and highly problematic for other road users (and especially emergency vehicles), it's time that specific plans were incorporated in the Plan for each such key cycle route in the CDC area.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** Mr Robert Dewick [7892]

**Summary:**

The Plan does not take enough account of the recent changes in UK government law and policy on sustainable travel.

**Full text:**

The Plan does not take enough account of the recent changes in UK government law and policy on sustainable travel.

**Change suggested by respondent:**

The Plan should prioritise walking and cycling provision at every stage of development, encourage parish councils etc to have Quiet Lanes, ensure safe routes for schools and a 200m traffic control zone round each school, and maintain and improve the key cycleways in the District. It should ensure that only after the needed improvements to the A27 are in place (not just planned!) should development be allowed.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** Chichester and District Cycle Forum (Mr Ian Sumnall, Retired) [5361]

**Summary:**

This policy does not safeguard existing and proposed routes for walking and cycling and does not provide a mechanism to fund such improvements.

**Full text:**

This policy does not safeguard existing and proposed routes for walking and cycling and does not provide a mechanism to fund such improvements.

**Change suggested by respondent:**

See Alternative Policy attached which is supported by West Sussex Cycle Forum and local volunteers of Sustrans.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Proposed Active Local Plan Policy v11.docx - <https://chichester.oc2.uk/a/ssp>

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]

**Summary:**

It is a positive step to see PRow acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRow and creation of new PRow where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

It is surprising to see there is no mention of PRow within Chapter 8 under Active Travel – Walking and Cycling. The PRow network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

**Full text:**

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

**Transport Overview**

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.

The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

**Deliverability of Key Infrastructure**

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

## Sustainable Transport Infrastructure & Measures

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

## Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level



crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

## 1) Education

### Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments, ...'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

## 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

## 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

## 4) Highways and Transport

### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to “an expansion of the bus priority lane system within Chichester City Centre” which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for “a time-based system where certain routes are restricted to public transport only during specific times” is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

#### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council’s emerging parking strategy and the report acknowledges at 6.2.11 that “locations for potential park and ride sites are also deemed to be limited”. The bullet at 6.2.15 “Cost of schemes compared to benefit are likely to be initially lower than highway schemes” may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

#### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; “The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here” is only supported for pedestrians, not for cyclists.

#### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that “the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues”. In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

#### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans

for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test.

Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

#### 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### **Attachments:**

CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>

Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Object

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Noting proposals should maximise opportunities for non-car trips] Proposals should maximise opportunities to link with the wider network including the existing A27 pedestrian and cycle footbridges and active travel routes along/intersecting the A27 corridor and how new facilities will be funded, monitored, and maintained. This is especially important as demand increases on and for the use of the A27.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental

objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without

unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement

cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

This policy is not robust enough. Currently, those wishing to cycle both in or out of the city do not feel safe. Cycle lanes are erratic and inadequate. There needs to be more detail about where cycle routes can be improved or created eg Chemroute.

**Full text:**

This policy is not robust enough. Currently, those wishing to cycle both in or out of the city do not feel safe. Cycle lanes are erratic and inadequate. There needs to be more detail about where cycle routes can be improved or created eg Chemroute.

**Change suggested by respondent:**

.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** Mrs Sarah Headlam [7441]

**Summary:**

This policy is not absolutely sound as makes no mention of danger of mixing cyclists and pedestrians on same path.

**Full text:**

This policy is not absolutely sound as makes no mention of danger of mixing cyclists and pedestrians on same path. It is essential to separate cycle paths and footpaths to allow walkers to use safely including for enjoyment, exercise, fresh air, particularly those using sticks, scooters, walking aids etc, accompanied by spouses, friends, families with pushchairs, small active children, dogs on leads.

**Change suggested by respondent:**

It is essential to separate cycle paths and footpaths to allow walkers to use safely including for enjoyment, exercise, fresh air, particularly those using sticks, scooters, walking aids etc, accompanied by spouses, friends, families with pushchairs, small active children, dogs on leads.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support in principle but wording changes required. Set out in additional rep - 5920.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object



**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** Network Rail (Sam Bhatti, Graduate Surveyor) [8048]

**Summary:**

Network Rail will support planning schemes within active travel distance of railway stations that provide continuous, direct and safe pedestrian/cycle routes that will serve rail passengers.

Pedestrian routes should be prioritised over vehicles, meaning all schemes should be designed so that vehicles wait for walkers/cyclists, not the other way around.

**Full text:**

Thank you for consulting Network Rail on the above consultation, I can confirm we wish to make the following comments.

Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland, and Wales. As statutory undertaker, Network Rail is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.

Having been in consultation with the train operating company, Southeastern Rail, of particular interest to Network Rail is the need to integrate active travel infrastructure and promote First and Last Mile principles. In addition, the impact of development on train stations and existing level crossings.

**First and Last Mile Considerations**

We encourage the Council to consider not only the impact of development on the railway itself, but also on the first and last mile element of passengers' journeys. This factors in access to and from the railway, as well as how other transport modes are integrated and how well communities are connected.

Failure to integrate this represents an issue for rail travel as people who start journeys by car will likely continue to drive rather than stop to change to the train, as the cost and time of parking and train tickets offer no benefit to them.

Developing access to the railway using first and last mile principles has several benefits, including:

- Aligning with local and national policy to reduce carbon emissions and meet netzero targets, by encouraging more active modes of transport such as walking and cycling
- Providing a seamless journey experience where various modes of transport are integrated, including bus and rail services
- Providing an accessible and inclusive offering of transport modes to both local residents and visitors
- Improving connections between communities which may not be as well-served by public transport

While infrastructure and transport services may be identified as areas for improvement, there may be other, smaller scale enhancements that can be made such as better provision of information or additional cycle racks. Network Rail's Planning team welcome further discussions with the council to gain a better understanding of how we can work together to improve access to the railway and integrate first and last mile thinking into the scheme plans, taking into account the various component parts of passengers' journeys and wider plans for the local area.

Policy T3 Active Travel – this has the broad support of Network Rail but should be strengthened to reflect walking/cycling as the first choice for local journeys; and for longer journeys part of an integrated bus/train transport chain that allows people to continue seamlessly.

Network Rail will support planning schemes within active travel distance of railway stations that provide continuous, direct and safe pedestrian/cycle routes that will serve rail passengers. Pedestrian routes should be prioritised over vehicles, meaning all schemes should be designed so that vehicles wait for walkers/cyclists, not the other way around.

**Transport Infrastructure**

Accessibility should be built into new development in the form of active travel networks, which will enhance permeability in people's transitions between areas. Development requiring additional road capacity should not go ahead, except as a last resort.

Policy T1 – in general this is supported. References to a 'coordinated package of infrastructure improvements' along the A27 should be replaced with a 'coordinated package of active travel and public transport improvements infrastructure', as this is more specific in emphasising that car transport should be minimised as much as possible.

Policies T2 and I1 – in general these are supported in the sense they promote seamless and continuous active travel arrangement and minimise car use. However, references should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time. The provision of amenities and leisure facilities within a 15-minute walk should be a cornerstone idea that drives mid to long term infrastructure goals for Chichester. Owing to the considerable amount of development anticipated by the Council, there is ample opportunity for local businesses and retailers to provide services within these local neighbourhoods.

## Railway Station Considerations

As a public funded company, Network Rail has responsibilities to spend public funds efficiently which consequently means we do not have the funds available to mitigate the impact of third-party development on railway stations. Where a significant amount of rail trips are generated by a third-party development, Network Rail expect that the development provides a contribution to mitigate the addition usage, ensuring that the rail network can continue to operate effectively. The contributions will encourage greater use of public transport by enhancing the rail experience for passengers.

The Local Plan has proposed site allocations across the district, for this reason the resulting increase to the use of stations should be recognized and mitigated against so that rail travel remains an attractive mode of transport. Failure to upgrade stations will result in less rail passengers which is counter productive to the Council's goals of a thriving public transport system.

Southbourne and Fishbourne Stations - Network Rail have concerns about the impact of future development on Southbourne and Fishbourne stations. As the stations themselves are small-sized, large-scale accessibility improvements would be potentially difficult. As a result, the provision of cycle parking facilities at both stations should be considered as crucial by the Council to ensure the station environment continues to modernize and encourage passenger use. This also ensures the stations integrate with proposed cycle/pedestrian routes across the area.

## Level Crossing Considerations

As part of Network Rail's license to operate and manage Britain's railway infrastructure, Network Rail have the legal duty to protect rail passengers, the public, the railway workforce, and to reduce risk at our level crossings so far as is reasonably practicable.

Improving Level Crossing safety is therefore one of Network Rail's key priorities.

Closing level crossings is the only way to fully eradicate the risk. However, it is not always possible or practicable to immediately close all level crossings. Aside from financial and practical constraints, user convenience still needs to be a key consideration. A broad range of targeted interventions and initiatives are therefore needed to manage safety at crossings which remain open.

Any new development would need to provide an assessment of the impact on any nearby Level Crossings and in some cases, planning obligations may be required to mitigate the impacts on it.

Policy A13 Southbourne Broad Location for Development - Several strategic sites have been identified across the district, with a significant amount west of Chichester which require reconsideration. Policy A13, which proposes 1050 new homes, will result in significant upturns in use of the Penny Lane and Church crossings, which are currently public footpath crossings and have high risk factors. Large-scale development could therefore warrant closure or installation of a footbridge. The Council should be aware of this as these projects are costly and would require requisite funding.

Network Rail are in the process of completing a risk assessment on the affected crossings. However, for context we recently reviewed the Copse level crossing (located approximately 1.9km eastwards from Penny Lane) which resulted in a 300% use increase from a 112home development (Planning Application SB/22/01283/FULEIA).

### Change suggested by respondent:

Policy should be strengthened to reflect walking/cycling as the first choice for local journeys; and for longer journeys part of an integrated bus/train transport chain that allows people to continue seamlessly.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan Response - <https://chichester.oc2.uk/a/spn>

## Support

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** Network Rail (Sam Bhatti, Graduate Surveyor) [8048]

### Summary:

This policy has the broad support of Network Rail.

### Full text:

Thank you for consulting Network Rail on the above consultation, I can confirm we wish to make the following comments.

Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland, and Wales. As statutory undertaker, Network Rail is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its

assets, ensuring the provision of a safe operational railway.

Having been in consultation with the train operating company, Southeastern Rail, of particular interest to Network Rail is the need to integrate active travel infrastructure and promote First and Last Mile principles. In addition, the impact of development on train stations and existing level crossings.

#### First and Last Mile Considerations

We encourage the Council to consider not only the impact of development on the railway itself, but also on the first and last mile element of passengers' journeys. This factors in access to and from the railway, as well as how other transport modes are integrated and how well communities are connected.

Failure to integrate this represents an issue for rail travel as people who start journeys by car will likely continue to drive rather than stop to change to the train, as the cost and time of parking and train tickets offer no benefit to them.

Developing access to the railway using first and last mile principles has several benefits, including:

- Aligning with local and national policy to reduce carbon emissions and meet netzero targets, by encouraging more active modes of transport such as walking and cycling
- Providing a seamless journey experience where various modes of transport are integrated, including bus and rail services
- Providing an accessible and inclusive offering of transport modes to both local residents and visitors
- Improving connections between communities which may not be as well-served by public transport

While infrastructure and transport services may be identified as areas for improvement, there may be other, smaller scale enhancements that can be made such as better provision of information or additional cycle racks. Network Rail's Planning team welcome further discussions with the council to gain a better understanding of how we can work together to improve access to the railway and integrate first and last mile thinking into the scheme plans, taking into account the various component parts of passengers' journeys and wider plans for the local area.

Policy T3 Active Travel – this has the broad support of Network Rail but should be strengthened to reflect walking/cycling as the first choice for local journeys; and for longer journeys part of an integrated bus/train transport chain that allows people to continue seamlessly.

Network Rail will support planning schemes within active travel distance of railway stations that provide continuous, direct and safe pedestrian/cycle routes that will serve rail passengers. Pedestrian routes should be prioritised over vehicles, meaning all schemes should be designed so that vehicles wait for walkers/cyclists, not the other way around.

#### Transport Infrastructure

Accessibility should be built into new development in the form of active travel networks, which will enhance permeability in people's transitions between areas. Development requiring additional road capacity should not go ahead, except as a last resort.

Policy T1 – in general this is supported. References to a 'coordinated package of infrastructure improvements' along the A27 should be replaced with a 'coordinated package of active travel and public transport improvements infrastructure', as this is more specific in emphasising that car transport should be minimised as much as possible.

Policies T2 and I1 – in general these are supported in the sense they promote seamless and continuous active travel arrangement and minimise car use. However, references should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time. The provision of amenities and leisure facilities within a 15-minute walk should be a cornerstone idea that drives mid to long term infrastructure goals for Chichester. Owing to the considerable amount of development anticipated by the Council, there is ample opportunity for local businesses and retailers to provide services within these local neighbourhoods.

#### Railway Station Considerations

As a public funded company, Network Rail has responsibilities to spend public funds efficiently which consequently means we do not have the funds available to mitigate the impact of third-party development on railway stations. Where a significant amount of rail trips are generated by a third-party development, Network Rail expect that the development provides a contribution to mitigate the addition usage, ensuring that the rail network can continue to operate effectively. The contributions will encourage greater use of public transport by enhancing the rail experience for passengers.

The Local Plan has proposed site allocations across the district, for this reason the resulting increase to the use of stations should be recognized and mitigated against so that rail travel remains an attractive mode of transport. Failure to upgrade stations will result in less rail passengers which is counter productive to the Council's goals of a thriving public transport system.

Southbourne and Fishbourne Stations - Network Rail have concerns about the impact of future development on Southbourne and Fishbourne stations. As the stations themselves are small-sized, large-scale accessibility improvements would be potentially difficult. As a result, the provision of cycle parking facilities at both stations should be considered as crucial by the Council to ensure the station environment continues to modernize and encourage passenger use. This also ensures the stations integrate with proposed cycle/pedestrian routes across the area.

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Improving Level Crossing safety is therefore one of Network Rail's key priorities.

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Any new development would need to provide an assessment of the impact on any nearby Level Crossings and in some cases, planning obligations may be required to mitigate the impacts on it.

Policy A13 Southbourne Broad Location for Development - Several strategic sites have been identified across the district, with a significant amount west of Chichester which require reconsideration. Policy A13, which proposes 1050 new homes, will result in significant upturns in use of the Penny Lane and Church crossings, which are currently public footpath crossings and have high risk factors. Large-scale development could therefore warrant closure or installation of a footbridge. The Council should be aware of this as these projects are costly and would require requisite funding.

Network Rail are in the process of completing a risk assessment on the affected crossings. However, for context we recently reviewed the Copse level crossing (located approximately 1.9km eastwards from Penny Lane) which resulted in a 300% use increase from a 112home development (Planning Application SB/22/01283/FULEIA).

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan Response - <https://chichester.oc2.uk/a/spn>

## Support

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

#### Summary:

Chichester Harbour Conservancy would like to open-up more farmland, along the agricultural fringe, for walking and cycling. Perhaps that should be reflected in the policy?

#### Full text:

Chichester Harbour Conservancy would like to open-up more farmland, along the agricultural fringe, for walking and cycling. Perhaps that should be reflected in the policy?

#### Change suggested by respondent:

Chichester Harbour Conservancy would like to open-up more farmland, along the agricultural fringe, for walking and cycling. Perhaps that should be reflected in the policy?

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway support the intent and approach of draft Policy T3. Again, there is some overlap with draft Policy P4 titled 'layout and access' albeit this needn't detract from the fact that the policy has been positively prepared and is broadly consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

Natural England welcomes the extensive references across this policy (and policies T2 and T3) to reductions in car use, increased provision of sustainable transport choices and increased opportunities for active travel.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy T3 Active Travel - Walking and Cycling Provision

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support policy T3 but it needs to be strengthened with additional clause

**Full text:**

See attached.

**Change suggested by respondent:**

Wording change -

4. Ensure walking and cycling is the first choice for local journeys and as part of longer journeys integrated with bus and trains by providing high quality routes that are Continuous, Direct, Safe, Attractive, Comfortable, and where conflicting with motor vehicles these routes will have Hierarchy of Road User built into the design so that people walking and cycling can continue their journeys seamlessly without a need to stop and give way to traffic.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Support

**Document Element:** Background, 8.29

**Respondent:** John Newman [8169]

**Summary:**

This is so important.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy T4 Parking Provision

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

The statistical base used for the number of cars used by homeowners is almost certainly inaccurate as the amount of parking needs to be sufficient to cater for households where there are two or more working family members.

**Full text:**

The statistical base used for the number of cars used by homeowners is almost certainly inaccurate as the amount of parking needs to be sufficient to cater for households where there are two or more working family members.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy T4 Parking Provision

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this policy.

**Full text:**

WGPC supports this policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy T4 Parking Provision

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

There is a great deal of land in and around the City of Chichester which is given over to car parking, none of which is underground or located underneath other office or residential buildings. Parking in Chichester is ever more expensive but increasing prices will not drive people from their cars – BECAUSE THE CURRENT TRAIN AND BUS OPTIONS ARE TOTALLY INADEQUATE. It is cheaper to drive into Chichester and park than take the bus.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that



addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have

come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

The harsh fact is that the Vision for Chichester needs urgent and rapid revision and the ideas of those with experience in actually designing and delivering on time and on budget major big picture urban regeneration schemes has to be taken forward, urgently.

Fewer small car parks and a daily Park and Ride (using electric or hydrogen buses supplied by CDC) facility is surely envisage-able. As the take-up of electric cars develops, underground car parking for non-hydrocarbon fuelled vehicles should be envisaged.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy T4 Parking Provision

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Add "motor vehicle parking spaces on public roads and in public parking areas will be charged at the economic price for parking spaces."

**Full text:**

See attached.

**Change suggested by respondent:**

Add "motor vehicle parking spaces on public roads and in public parking areas will be charged at the economic price for parking spaces."

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy T4 Parking Provision

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

Draft Policy T4 requires development to deliver parking in accordance with the West Sussex Parking Standards Guidance.

While the principle of this approach is recognised, it is important that the Local Plan clearly sets out that the adopted Parking Standards should be seen as a starting point for assessing parking needs in a development. R-RMC suggests that the draft policy is amended to more clearly support flexibility in individual circumstances where the adopted Parking Standards may not be the most appropriate solution.

**Full text:**

Rolls-Royce Motor Cars (R-RMC) supports the Council's commitment to securing adequate car and cycle parking provision from development in the district. Draft Policy T4 (Parking Provision) requires development to deliver parking in accordance with the West Sussex Parking Standards Guidance (2020) or any subsequent standards.

While the principle of this approach is recognised, it is important that the Local Plan clearly sets out that the adopted Parking Standards should be seen as a starting point for assessing parking needs in a development. It is acknowledged that the Parking Standards guidance sets out they are an "initial guide for developers (paragraph 6.3 West Sussex Guidance on Parking at New Developments September 2020) and the Local plan policy should align with this approach. It is also important that the policy retains some flexibility to account for individual circumstances and nature of operations where a different approach is more appropriate. This may include circumstances such as the delivery of the bespoke R-RMC expansion site, where parking provision for specific employment needs may differ. This would not negate the requirement to prepare and provide a Travel Plan as appropriate.

R-RMC suggests that the draft policy is amended to more clearly support flexibility in individual circumstances where the adopted Parking Standards may not be the most appropriate solution. This would make the draft policy effective and sound.

**Change suggested by respondent:**

Amend policy to more clearly support flexibility in individual circumstances where the adopted parking standards may not be the most appropriate solution.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy T4 Parking Provision

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

Support in principle.

R-RMC supports the Council's commitment to securing adequate car and cycle parking provision from development in the district.

**Full text:**

Rolls-Royce Motor Cars (R-RMC) supports the Council's commitment to securing adequate car and cycle parking provision from development in the district. Draft Policy T4 (Parking Provision) requires development to deliver parking in accordance with the West Sussex Parking Standards Guidance (2020) or any subsequent standards.

While the principle of this approach is recognised, it is important that the Local Plan clearly sets out that the adopted Parking Standards should be seen as a starting point for assessing parking needs in a development. It is acknowledged that the Parking Standards guidance sets out they are an "initial guide for developers (paragraph 6.3 West Sussex Guidance on Parking at New Developments September 2020) and the Local plan policy should align with this approach. It is also important that the policy retains some flexibility to account for individual circumstances and nature of operations where a different approach is more appropriate. This may include circumstances such as the delivery of the bespoke R-RMC expansion site, where parking provision for specific employment needs may differ. This would not negate the requirement to prepare and provide a Travel Plan as appropriate.

R-RMC suggests that the draft policy is amended to more clearly support flexibility in individual circumstances where the adopted Parking Standards may not be the most appropriate solution. This would make the draft policy effective and sound.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Background, 9.1

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking further information]. Infrastructure Delivery Plan – January 2023

As with our previous comments, National Highways therefore seeks to understand.

- the Council's strategy if developer contributions are insufficient
- the Councils' governance associated with collected contributions and their use
- how developers will be charged if additional contributions are required

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions

- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25),

and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Background, 9.2

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

#### Summary:

We think that it is essential that infrastructure precedes development.

#### Full text:

We think that it is essential that infrastructure precedes development.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Background, 9.2

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

#### Summary:

WGPC supports this approach but questions how it could be applied to Wisborough Green.

#### Full text:

WGPC supports this approach but questions how it could be applied to Wisborough Green.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Object

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**Document Element:** Background, 9.2

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

■ WGPC supports this approach but questions how it could be applied to Wisborough Green.

**Full text:**

■ WGPC supports this approach but questions how it could be applied to Wisborough Green.

**Change suggested by respondent:**

■ -

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

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**Document Element:** Background, 9.2

**Respondent:** John Newman [8169]

**Summary:**

■ This is so important.

**Full text:**

■ See attachment.

**Change suggested by respondent:**

■ -

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

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**Document Element:** Background, 9.2

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The plan should provide greater weight to the importance of developer contributions in the delivery of infrastructure. The plan should require contributions that go beyond the immediate infrastructure needs of the specific development, and seek contributions towards significant infrastructure deficits that exist as a result of a lack of public and private development. Contributions should be reasonable at all times, but it is not unreasonable for new developments to contribute to long-standing infrastructure deficits, which will be required and used by the future residents for whom they are providing housing.

**Full text:**

The plan should provide greater weight to the importance of developer contributions in the delivery of infrastructure. The plan should require contributions that go beyond the immediate infrastructure needs of the specific development, and seek contributions towards significant infrastructure deficits that exist as a result of a lack of public and private development. Contributions should be reasonable at all times, but it is not unreasonable for new developments to contribute to long-standing infrastructure deficits, which will be required and used by the future residents for whom they are providing housing.

**Change suggested by respondent:**

The plan should provide greater weight to the importance of developer contributions in the delivery of infrastructure. The plan should require contributions that go beyond the immediate infrastructure needs of the specific development, and seek contributions towards significant infrastructure deficits that exist as a result of a lack of public and private development.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

Supporting Document - <https://chichester.oc2.uk/a/t6x>

## Support

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**Document Element:** Background, 9.3

**Respondent:** John Newman [8169]

**Summary:**

This is so important.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Background, 9.4

**Respondent:** Mr Andrew Gould [7824]

**Summary:**

This seems to be saying that if infrastructure can't be provided such as adequate sewage processing, a housing development can be allowed to go ahead anyhow. For example at Bosham over 700 hours of untreated sewage was discharged into Chichester Harbour in 2021. If Southern Water can't upgrade the treatment works in time 9.4 seems to be saying that a housing development could go ahead anyhow as an exception. 9.4 should be rephrased to say that there are no exceptions. If the development does not have accompanying infrastructure, it should not go ahead.

**Full text:**

This seems to be saying that if infrastructure can't be provided such as adequate sewage processing, a housing development can be allowed to go ahead anyhow. For example at Bosham over 700 hours of untreated sewage was discharged into Chichester Harbour in 2021. If Southern Water can't upgrade the treatment works in time 9.4 seems to be saying that a housing development could go ahead anyhow as an exception. 9.4 should be rephrased to say that there are no exceptions. If the development does not have accompanying infrastructure, it should not go ahead.

**Change suggested by respondent:**

If accompanying infrastructure is not completed in time a development should be halted. There should be no exceptions. For example the 10 year delay in cycle lane infrastructure accompanying the Shopwyke housing development would no longer be allowed. Until it was 100percent finished no houses could be sold.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

This is not sound because there are too many important omissions from the policy. Not legal because it fails to address the needs of existing residents first.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergencV"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversitV"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid rood damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial

watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.

15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period

16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.

17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.

18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.

19. P96, Policy NE22 Air Quality

20. P97, Policy NE-23 Noise

21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity

22. P155-6, Policy P11:Conservation Areas "protecting the setting (including views into and out of the area)"

23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.

24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats

25. P95, Para 4.129 The council has a duty to review and assess air quality within the district

26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

The following amendments to the plan should make it sound:

**Policy II : Infrastructure provision**

The council will work with partner organisations to coordinate infrastructure provision to ensure that individual and cumulative development is supported by the timely provision of adequate infrastructure, facilities, and services. The Infrastructure Delivery Plan will be used to identify the timing and nature of infrastructure requirements to support the objectives and policies of the Plan as well as the main funding mechanisms and lead agencies responsible for their delivery.

New development will be expected to provide for the on and off-site infrastructure, facilities and services required as a result of the development, and the needs to existing dwellings must be addressed first (e.g. in relation to drainage, runoff, flooding, waste water, clean drinking water, and other essential utility services and to safeguard current amenities including rights of way, parking and amenity value of communal land). Provision should be made in accordance with a phasing and implementation plan where necessary.

All such requirements will be secured by way of condition or legal agreement.

Development proposals will be permitted that:

(i) Make effective use of existing infrastructure, facilities, and services, including opportunities for co-location, sharing and multifunctional use of services and facilities; (ii) Provide for the on and off-site infrastructure, facilities and services required as a result of the development;

(iii) Safeguard the requirements of infrastructure providers, including but not limited to:

- Renewable energy;
- Gigabit-capable electronic communications networks, including wireless and full fibre cabled services;
- Electricity power lines;
- On and off street charge points for electric vehicles • High pressure gas mains; o Educational facilities; • Health facilities; o Aquifer protection areas; o Highways and cycle lanes, and
- Flood defences and SuDS infrastructure.
- Land and other local or adjacent infrastructure that housing estates may require for renewable energy solutions to replace gas boilers and generate renewable energy onsite (iv) Future-proof infrastructure provision to take account of the impacts of climate change such as flooding events from heavy rainfall, rivers and rising sea levels, increased drought, sustained and high wind speeds and extremes of temperature and water scarcity;

(v) To consider and meet as appropriate the in-perpetuity costs of infrastructure and arrangements for its future management and maintenance;

(vi) Agree a programme of delivery with the relevant infrastructure provider before development begins including coordination of financial and physical contributions;

(vii) Ensure new development benefits from gigabit-capable broadband infrastructure at the point of occupation;

(viii) Improve accessibility to necessary facilities and services by sustainable travel modes from the outset.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Thames Water Utilities Ltd (Mr David Wilson, Town Planner) [7761]

**Summary:**

Object to policy - water/wastewater infrastructure essential to any development, failure to ensure required upgrades to infrastructure network are delivered alongside development could result in adverse impacts in form of internal and external sewer flooding and pollution of land and water courses and/or low water pressure. Plan should seek to ensure there is adequate water and wastewater infrastructure to serve all new developments and include a specific policy on key issue of provision of water and sewerage/wastewater infrastructure to service development. This is necessary as it will not be possible to identify all water/sewerage infrastructure required over plan period due to the way water companies are regulated and plan in 5 year periods.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Policy I1 should be amended to include following text:

**“Water Supply & Wastewater Infrastructure:**

Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”

“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Representation Form - <https://chichester.oc2.uk/a/t6g>

## Support

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are pleased to see that our comments from the Regulation 18 consultation have been incorporated into this policy with reference included to flood defences and SuDS infrastructure.

**Full text:**

We are pleased to see that our comments from the Regulation 18 consultation have been incorporated into this policy with reference included to flood defences and SuDS infrastructure.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

---

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Chichester and District Cycle Forum (Mr Ian Sumnall, Retired) [5361]

**Summary:**

This policy will be ineffectual because it does not REQUIRE the necessary infrastructure to be phased, committed and provided in advance of the newly proposed land release for housing. There is no agreed Statement of Common Ground, especially with National Highways and Southern Water.

**Full text:**

This policy will be ineffectual because it does not REQUIRE the necessary infrastructure to be phased, committed and provided in advance of the newly proposed land release for housing. There is no agreed Statement of Common Ground, especially with National Highways and Southern Water.

**Change suggested by respondent:**

As set in the attached document infrastructure investment in transport to relieve existing congestion, and to enable greater use of sustainable and active travel modes, needs to be given priority over more land release for development.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Outline case for Local Plan Objection on behalf of WSCF,CDCF and Sustransv2.docx - <https://chichester.oc2.uk/a/sts>

## Object

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**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

This needs to be more robust to ensure that there is timely provision.

The demand for housing being imposed on the district requires adequate infrastructure, particularly in relation to roads and wastewater treatment, to be in place and not be lacking when new homes are ready for occupation.

iv. With the acceleration of climate change we have to consider whether we are providing future proofing as the flood risk is an increasing concern.

**Full text:**

This needs to be more robust to ensure that there is timely provision.

The demand for housing being imposed on the district requires adequate infrastructure, particularly in relation to roads and wastewater treatment, to be in place and not be lacking when new homes are ready for occupation.

iv. With the acceleration of climate change we have to consider whether we are providing future proofing as the flood risk is an increasing concern.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Support in principle

**Full text:**

This needs to be more robust to ensure that there is timely provision.

The demand for housing being imposed on the district requires adequate infrastructure, particularly in relation to roads and wastewater treatment, to be in place and not be lacking when new homes are ready for occupation.

iv. With the acceleration of climate change we have to consider whether we are providing future proofing as the flood risk is an increasing concern.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Mr David Myers [7935]

**Summary:**

1. The sewage pumping station in Stumps Lane, Bosham has been pumping untreated sewage into Chichester Harbour for many years despite many objections. A current planning application for a large development at Highgrove Farm will worsen the problem?

2. Are there any proposals to combat sea level rise?

3. With an increase in population how will health care provision be increased?

4. How will the traffic generated by the new housing developments particularly around Chichester City be dealt with?

**Full text:**

1. The sewage pumping station in Stumps Lane, Bosham has been pumping untreated sewage into Chichester Harbour for many years despite many objections. A current planning application for a large development at Highgrove Farm will worsen the problem?

2. Are there any proposals to combat sea level rise?

3. With an increase in population how will health care provision be increased?

4. How will the traffic generated by the new housing developments particularly around Chichester City be dealt with?

**Change suggested by respondent:**

Much hard work has obviously been carried out to produce this Plan.

However a visit to the environs in and West of Havant in the evening rush hour may demonstrate the results of over development.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None



## Support

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**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Please refer to our response to Policy H3 which details the parish's infrastructure concerns.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Please refer to our response to Policy H3 which details the parish's infrastructure concerns.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Wisborough Green Parish Council (Mrs Louise Davies, Parish Clerk) [1064]

**Summary:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Please refer to our response to Policy H3 which details the parish's infrastructure concerns.

**Full text:**

WGPC supports this approach but questions how it could be applied to Wisborough Green. Please refer to our response to Policy H3 which details the parish's infrastructure concerns.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

### Summary:

Boxgrove Church of England (CoE) Primary School currently has capacity for just 70 pupils, 3 classes over 7 years. However, a typical 1 Form of Entry (FE) Primary School in England has a pupil capacity of 210 pupils. Boxgrove is a 1/3 FE School. The existing school site has the potential to increase its size/ pupil capacity, with the adjoining land under the ownership of West Sussex County Council (WSSC) and Boxgrove Parish Council (BPC). Policy A14, Land West of Tangmere includes a new two-form entry primary school and associated development, including provision for an early years setting and a special support centre. Further land is safeguarded to facilitate potential expansion of the two-form entry primary school to three-form entry, provide 'open space', 'green infrastructure', 'community orchard', 'playing pitches', and 'sport pavilion'. However, the same infrastructure is not being provided for in the Plan for Boxgrove Parish and we would like to see this area of the Infrastructure section re-assessed.

Education infrastructure cannot be cited as a constraint to Boxgrove Parish accommodating a higher (strategic level) of growth and this should be reflected in the Plan, with the existing Boxgrove CoE Primary School having the potential land to extend on-site and/or there being adequate capacity at the proposed 2FE Tangmere Primary School to accommodate a strategic level of growth within Boxgrove Parish.

### Full text:

Boxgrove Church of England (CoE) Primary School currently has capacity for just 70 pupils, 3 classes over 7 years. However, a typical 1 Form of Entry (FE) Primary School in England has a pupil capacity of 210 pupils. Boxgrove is a 1/3 FE School. However, the existing school site has the potential to increase its size/ pupil capacity, with the adjoining land under the ownership of West Sussex County Council (WSSC) and Boxgrove Parish Council (BPC).

Evidence shows that 1000 new homes generate circa 210 new Primary School pupils. The proposed 2FE Primary School at Tangmere Parish would accommodate circa 2,000 new pupils. The proposed Strategic Allocation for Tangmere (including the existing adopted Local Plan allocation) proposes 1,300 additional homes at Tangmere, therefore leaving a residual capacity for the proposed 2FE Primary School to accommodate an additional 700 homes within the Tangmere and surrounding Parishes. The pupil catchment map confirms that WSSC have accepted pupils to Boxgrove CoE Primary School from the Tangmere Parish and visa versa.

### Change suggested by respondent:

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

March 23 Reg 19 reps Chichester District Council RHL - Final.pdf - <https://chichester.oc2.uk/a/sv7>

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

### Summary:

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking clarity] The Plan should evidence who will fund, be responsible for and maintain improved accessibility to necessary facilities and services by sustainable travel modes from the outset as well as on an ongoing basis and into the future.

### Full text:

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

## Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings
- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing

and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Miller and Vistry support the implementation of infrastructure required as a result of development where it is justified and proportionate, including maintenance of infrastructure where it remains the responsibility of the developer.

**Full text:**

Miller and Vistry support the implementation of infrastructure required as a result of development where it is justified and proportionate, including maintenance of infrastructure where it remains the responsibility of the developer.

**Change suggested by respondent:**

It is considered however that point (v) of the policy needs clarifying to make clear that the ongoing costs of infrastructure management and maintenance that come under the jurisdiction and control of statutory providers should be met by those providers.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8q>

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

Evidence shows that 1000 new homes generate circa 210 new Primary School pupils. The proposed 2FE Primary School at Tangmere Parish would accommodate circa 2,000 new pupils. The proposed Strategic Allocation for Tangmere (including the existing adopted Local Plan allocation) proposes 1,300 additional homes at Tangmere, therefore leaving a residual capacity for the proposed 2FE Primary School to accommodate an additional 700 homes within the Tangmere and surrounding Parishes. The pupil catchment map confirms that WSCC have accepted pupils to Boxgrove CoE Primary School from the Tangmere Parish and visa versa.

**Full text:**

Evidence shows that 1000 new homes generate circa 210 new Primary School pupils. The proposed 2FE Primary School at Tangmere Parish would accommodate circa 2,000 new pupils. The proposed Strategic Allocation for Tangmere (including the existing adopted Local Plan allocation) proposes 1,300 additional homes at Tangmere, therefore leaving a residual capacity for the proposed 2FE Primary School to accommodate an additional 700 homes within the Tangmere and surrounding Parishes. The pupil catchment map confirms that WSCC have accepted pupils to Boxgrove CoE Primary School from the Tangmere Parish and visa versa.

**Change suggested by respondent:**

Education infrastructure cannot be cited as a constraint to Boxgrove Parish accommodating a higher (strategic level) of growth and this should be reflected in the Plan, with the existing Boxgrove CoE Primary School having the potential land to extend on-site and/ or there being adequate capacity at the proposed 2FE Tangmere Primary School to accommodate a strategic level of growth within Boxgrove Parish.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

March 23 Reg 19 reps Chichester District Council RHL - Final.pdf - <https://chichester.oc2.uk/a/svq>

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

Wastewater – Boxgrove drains to Tangmere Wastewater Treatment Works (WWTW). The evidence base submitted with Reg 19 confirms that Tangmere WWTW had (as of 01.01.22) remaining dwelling capacity for an additional 3556 new homes (with an Environment Agency discharge licence for 3,000 additional homes).

The proposed housing allocation (to include the adopted Local Plan provision) totalled an additional 1,300 new homes west of Tangmere and would leave a residual capacity of over 2,000 new homes to be accommodated at Tangmere WWTW. Wastewater infrastructure is therefore not a constraint to Boxgrove Parish accommodating a strategic level of growth (i.e circa 200 homes plus). This evidence should be reflected in the Plan.

**Full text:**

Wastewater – Boxgrove drains to Tangmere Wastewater Treatment Works (WWTW). The evidence base submitted with Reg 19 confirms that Tangmere WWTW had (as of 01.01.22) remaining dwelling capacity for an additional 3556 new homes (with an Environment Agency discharge licence for 3,000 additional homes).

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

March 23 Reg 19 reps Chichester District Council RHL - Final.pdf - <https://chichester.oc2.uk/a/sb3>

## Support

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Rydon Homes Limited [1499]

**Agent:** DMH Stallard LLP (Mr Mark Walker, Planner) [7918]

**Summary:**

We agree with the allocation of £100,000 CIL funding for the creation of a bridleway linking Boxgrove Parish to Tinwood Lane. We also support the allocation of £150,000 for the upgrade to bridleways, in conjunction with the Tangmere development.

**Full text:**

We agree with the allocation of £100,000 CIL funding for the creation of a bridleway linking Boxgrove Parish to Tinwood Lane. We also support the allocation of £150,000 for the upgrade to bridleways, in conjunction with the Tangmere development.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

**Summary:**

A requirement to meet in perpetuity costs of infrastructure and its maintenance is unlikely to meet policy tests.

**Full text:**

Please refer to submitted representations document.

**Change suggested by respondent:**

Delete " in perpetuity".

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/sbs>

REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/sbt>

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Mr Paul Bedford [5302]

**Summary:**

Time scale of the crucial improvements to infrastructure and particularly sewer and IWWTW capacity is of particular concern. SW's Drainage and Wastewater Management Plan v1May 2020 set out in very comprehensive way what needs to be achieved and indication of time scale -placing most in AMP8 the next 5 yr business cycle and OFWAT approval would be needed for the scale of expenditure that is many hundred of millions. These time scale constraints should be reflected in the phasing of any housing development that will have to utilise the network. There is no direct indication that such phasing will be actively enforced.

**Full text:**

These comments are confined to the three areas set out in the consultation - Legal, Soundness and Duty to Cooperate and to two documents -the draft Local Plan and the Sustainability Assessment.

**Legal Status**

The Legal status of the Plan is proven but because of the protracted course of the plan's preparation some stages are now dated and raise the question that they should be refreshed. This is the particular case in respect of public participation. There have also been significant changes in legislation that guides the plan's formulation that would have benefited from revised statement of legislative/legal context.

**Soundness**



In the SA it is stated that the key issue for the plan is the A27 and its capacity. This statement is fundamental in that it is realistically outside the scope of the local planning authorities (CDC and West Sussex CC) to have any direct control over. Unless National Highways position is changed from their previous statements on time scales and what might be included in their assessment no consideration of A27 will be made until RIS3 taking any even initial action into the next decade.

So fundamental and influential is the A27 that assessment of Local Housing Need (LHN), a key component of the whole plan, is reduced from 638 units pa to 535. This position must have an impact on the plan's 'Soundness and crucially the phasing of development.

It is worthy of note that three recent housing appeal decisions unfortunately focused primarily on the lack of a 5yr housing supply base on the 638 higher figure. More pressing were issues of sewage system capacity, coastal inundation and fluvial flooding and nutrient neutrality.

The reduction of housing requirements that the Reg19 LP now promotes is very welcomed.

The reduction on the Manhood Peninsula appears to be derived because of recent housing approvals on appeal bringing forward housing that achieves the revised target based on the 535 figure. Two points arise none of these sites are in locations that CDC indicated in documents such as the HELAA and SHELAA as positively sustainable and as all other significant Peninsula housing is dropped do these sites exceed what would have been planned totals.

The SA 'Framework' only addresses 'Water- protection of resources' this is highly appropriate given the problems experienced in the north eastern part of the district in the summer of 2022 and will become more pressing in the south. Resolution of this issue that stopped planning applications seems to be by reducing water usage at least to 110 ltr pppd or lower this is when Southern Water only hope to achieve 125ltr by 2050.

Consideration in the framework should extend to the 'Water Cycle' and particularly address the acute problems of sewage system network capacity, polluting WWTW outfalls, nutrient neutrality. These systems are already currently stressed/ completely overloaded with current levels of use without new development coming on stream and discharges of untreated sewage are a significant and growing problem to Chichester, Langston and Pagham Harbours- this situation must be set against Defra- Storm Overflow Discharge Reduction Plan's statement "Protecting the Environment-water companies shall only be permitted to discharge from a storm overflow where they can demonstrate that there is no local ecological impact". Damage to Chichester/ Langstone Harbours is documented by a damning Natural England report and by that expected for Pagham Harbour all the sites of national significance for biodiversity and protected habitats. Whilst para 5.2.34 and Box 5.1 of the SA summarise the position no direct statement of intervention is made. Reliance on a 'Statement of Common Ground' that is referred to offers no positive programme of future capital investment by Southern Water (SW) especially when set against SW's overall regional programme its cost and priorities as set out in their draft DWMP- the final version of which is due for release in March this year- does the Plan reflect this documents information that is so crucial to supporting the infrastructure need for the scale of development envisaged is challenging to the plan's 'Soundness'

Time scale of the crucial improvements to infrastructure and particularly sewer and IWWTW capacity is of particular concern. SW's Drainage and Wastewater Management Plan v1 May 2020 set out in very comprehensive way what needs to be achieved and indication of time scale - placing most in AMP8 the next 5 yr business cycle and OFWAT approval would be needed for the scale of expenditure that is many hundred of millions. These time scale constraints should be reflected in the phasing of any housing development that will have to utilise the network. There is no direct indication that such phasing will be actively enforced.

The lack of inclusion in a key background supporting document - Strategic Flood Risk Assessment (SFRA) - of the Planning Practice Guidance on Flood Risk and Coastal Change that has important bearing on issues particularly for the southern plan area and specifically mentions the importance of the phasing of development to infrastructure provision is a concern especially when it was published in August 2022. These omission again have an impact on the Plan's overall 'Soundness.

A significant consideration in the plan that supports the need for more housing supply is the need to address affordability. The district has one of the highest ratio of median earnings to house prices of 14 times and despite substantial house building during the period 2013 -2022 the ratio has increased from 10.55. It is clear that the type of housing that has occurred and continues to be proposed in the district has done little if anything to impact on affordability and address the need for social/lower cost housing. Based on the 2011 census the district experienced 1,505 inward migration (only Brighton and Hove being higher in the West Sussex/ Gt Brighton area) - this trend has been expected to have continued and accelerated as the pandemic increased the popularity of coastal property and raised market cost of property. Just building more houses without policy intervention to prioritise social shared ownership housing will most probably prove to further increase the extent of unaffordability with the resultant consequences on workforce - especially to support the district ageing population- and supporting young people to remain in the area they have grown up in or have come to be educated. This aspect is cause concern over the Plan's 'Soundness'.

Considerable emphasis is placed on the issues of nutrient neutrality, damage to biodiversity and pollution of Chichester Harbour AONB but such emphasis is not extended to Pagham Harbour that has a similar ecological status to Chichester and suffers the same degradation issues.

Although Pagham is outside of the nutrient protection zone the factors contributing to nutrient problems are apparent feeding into Pagham. The delayed report on condition for Pagham from Natural England mirroring that for Chichester Hb gives every indication it will indicate the same levels of detriment as those in Chichester Hb. This assumption being supported by condition reports for instance for rife and ditch condition known reports. Added to these factors are known issues relating to untreated discharges from Sidlesham WWTW. The Local Plans's lack of affording Pagham similar consideration to Chichester Hb is an issue that impacts on the Local Plan's overall 'Soundness'.

#### Duty to cooperate

The West Sussex and Greater Brighton Strategic Planning Board (WSGBSPB) provides a context for integrated planning along the coast plain area. It is stated that this board is due to issue a review of its 2016 report next month - does the Plan address any issues that this review may raise? . Housing needs are a major feature of the area and the need to transfer unmet housing demand to adjoining authorities is characteristic feature of past policy.. The SA quite categorically states that there would be no realistic potential to meet unmet housing need above the now established LHN figure. Should the WSGBSPB's report signal the need for the district to absorb housing from other areas there may be problems as the Plan does not appear to offer any contingency or process how such pressure might be mitigated.

The highly restricted housing numbers in the South Downs National Park Local Plan and the closeness of its boundary to the 'coastal strip' are contributing factors to the area's carrying and overall capacity to support development. Further constraint is imposed by the Chichester Harbour Area of Outstanding Natural Beauty ( AONB) and the geographical physical restrictions of the Manhood Peninsula creating 'coastal squeeze'.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Chichester District Local Plan Reg19 Submission - <https://chichester.oc2.uk/a/sx9>

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Home Builders Federation (Mr Mark Behrendt, Local Plans Manager SE and E) [7316]

#### Summary:

Part (iii) of the policy is unsound as it is inconsistent with national policy and is unjustified.

The policy requires all residential development to ensure new development benefits from gigabit-capable broadband infrastructure at first occupation. However, the delivery of super-fast broadband connections is often not in the gift of the developer. The HBF agrees that such infrastructure is important, however, its provision is not essential and should not be considered a barrier to the occupation of new homes as indicated in this policy. Whilst the HBF supports the Council's desire for such infrastructure it is their responsibility to work with the infrastructure provider to ensure its delivery and enable developments to be connected. Given that the type of connection required of development is also set out in Part R of the Building Regulations we consider it unnecessary to set this out in local plan policy. Paragraph relating to Fibre to the Premises should therefore be deleted.

#### Full text:

See attachment.

#### Change suggested by respondent:

Paragraph relating to Fibre to the Premises should therefore be deleted.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

HBF rep Chichester LP march 2023 redacted - <https://chichester.oc2.uk/a/sg6>

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policy 11, which I think very important. I would want national regulations to require the compulsory incorporation of solar panels into any new building, and indeed would urge CDC to require this as far as is legally possible. I have had solar panels on my house for nearly ten years now and was told that I would get my money back in seven years - I have. Were the same personal economics to apply to adding a battery, I would go for this too, but sadly they do not. I would also want to make electric vehicle charging facilities mandatory in any new garage.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

This is not strong enough as all that will happen is a reoccurrence of the past whereby developers will develop make their profits and the lack of delivery of promises made will be to the detriment of the general populous and ultimately harm to the district over the long term. Clear accountability and inspection is essential.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in

quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

What this policy fails to say is that if none of the above deliverables cannot be delivered ahead of or in tandem to the delivery of any housing when there is a clear need for this infrastructure in order to make the development sustainable then the DC reserves the right to reject said application. There is a desperate need to return to proper urban planning which creates capacity first ahead of demand for such services and infrastructure. If there is no capacity in the system for more housing due to infrastructure limitations, then housing development should be deferred until such times said infrastructure is in place. Build the pipes before you turn on the taps.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable.

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban

Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18

and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...



A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation partake to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be

effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the ‘Five Villages’ area in Arun District.” We unequivocally endorse this conclusion. Realising a “game-changing” level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and

Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be “enhanced” and “reinforced”.

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District’s mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

#### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

#### 4. Climate Change and the Natural Environment

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently

- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first through maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot

credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide has "run out of road" no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective



NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

## 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d'être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network

resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

...”

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan’s own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan’s Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as

far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

• Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing

management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."



9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be

provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ...

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

"...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

"..."

#### 9.5. Policy A7 Land at Shopwhyke

##### Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lies on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

" ...  
 12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
 ..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

" ...  
 9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;  
 ..."

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

" ...  
 5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis o maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;  
 ..."

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

"...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure

and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

"...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

## 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.



**Change suggested by respondent:**

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

• Highways including specific measures to accommodate improved active travel and public transport level of service and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its ongoing management and maintenance;

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:**

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Would recommend amendment to wording of penultimate point (vii).

**Full text:**

See attached representation.

**Change suggested by respondent:**

Amend (vii) to read as follows:

Ensure new development benefits from gigabit-capable broadband infrastructure (where such facilities are locally available) at the point of occupation;

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/szx>

## Support

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Network Rail (Sam Bhatti, Graduate Surveyor) [8048]

**Summary:**

References should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time. The provision of amenities and leisure facilities within a 15-minute walk should be a cornerstone idea that drives mid to long term infrastructure goals for Chichester. Owing to the considerable amount of development anticipated by the Council, there is ample opportunity for local businesses and retailers to provide services within these local neighbourhoods.

**Full text:**

Thank you for consulting Network Rail on the above consultation, I can confirm we wish to make the following comments.

Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland, and Wales. As statutory undertaker, Network Rail is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.

Having been in consultation with the train operating company, Southeastern Rail, of particular interest to Network Rail is the need to integrate active travel infrastructure and promote First and Last Mile principles. In addition, the impact of development on train stations and existing level crossings.

#### First and Last Mile Considerations

We encourage the Council to consider not only the impact of development on the railway itself, but also on the first and last mile element of passengers' journeys. This factors in access to and from the railway, as well as how other transport modes are integrated and how well communities are connected.

Failure to integrate this represents an issue for rail travel as people who start journeys by car will likely continue to drive rather than stop to change to the train, as the cost and time of parking and train tickets offer no benefit to them.

Developing access to the railway using first and last mile principles has several benefits, including:

- Aligning with local and national policy to reduce carbon emissions and meet netzero targets, by encouraging more active modes of transport such as walking and cycling
- Providing a seamless journey experience where various modes of transport are integrated, including bus and rail services
- Providing an accessible and inclusive offering of transport modes to both local residents and visitors
- Improving connections between communities which may not be as well-served by public transport

While infrastructure and transport services may be identified as areas for improvement, there may be other, smaller scale enhancements that can be made such as better provision of information or additional cycle racks. Network Rail's Planning team welcome further discussions with the council to gain a better understanding of how we can work together to improve access to the railway and integrate first and last mile thinking into the scheme plans, taking into account the various component parts of passengers' journeys and wider plans for the local area.

Policy T3 Active Travel – this has the broad support of Network Rail but should be strengthened to reflect walking/cycling as the first choice for local journeys; and for longer journeys part of an integrated bus/train transport chain that allows people to continue seamlessly.

Network Rail will support planning schemes within active travel distance of railway stations that provide continuous, direct and safe pedestrian/cycle routes that will serve rail passengers. Pedestrian routes should be prioritised over vehicles, meaning all schemes should be designed so that vehicles wait for walkers/cyclists, not the other way around.

#### Transport Infrastructure

Accessibility should be built into new development in the form of active travel networks, which will enhance permeability in people's transitions between areas. Development requiring additional road capacity should not go ahead, except as a last resort.

Policy T1 – in general this is supported. References to a 'coordinated package of infrastructure improvements' along the A27 should be replaced with a 'coordinated package of active travel and public transport improvements infrastructure', as this is more specific in emphasising that car transport should be minimised as much as possible.

Policies T2 and I1 – in general these are supported in the sense they promote seamless and continuous active travel arrangement and minimise car use. However, references should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time. The provision of amenities and leisure facilities within a 15-minute walk should be a cornerstone idea that drives mid to long term infrastructure goals for Chichester. Owing to the considerable amount of development anticipated by the Council, there is ample opportunity for local businesses and retailers to provide services within these local neighbourhoods.

#### Railway Station Considerations

As a public funded company, Network Rail has responsibilities to spend public funds efficiently which consequently means we do not have the funds available to mitigate the impact of third-party development on railway stations. Where a significant amount of rail trips are generated by a third-party development, Network Rail expect that the development provides a contribution to mitigate the addition usage, ensuring that the rail network can continue to operate effectively. The contributions will encourage greater use of public transport by enhancing the rail experience for passengers.

The Local Plan has proposed site allocations across the district, for this reason the resulting increase to the use of

stations should be recognized and mitigated against so that rail travel remains an attractive mode of transport. Failure to upgrade stations will result in less rail passengers which is counter productive to the Council's goals of a thriving public transport system.

Southbourne and Fishbourne Stations - Network Rail have concerns about the impact of future development on Southbourne and Fishbourne stations. As the stations themselves are small-sized, large-scale accessibility improvements would be potentially difficult. As a result, the provision of cycle parking facilities at both stations should be considered as crucial by the Council to ensure the station environment continues to modernize and encourage passenger use. This also ensures the stations integrate with proposed cycle/pedestrian routes across the area.

#### Level Crossing Considerations

As part of Network Rail's license to operate and manage Britain's railway infrastructure, Network Rail have the legal duty to protect rail passengers, the public, the railway workforce, and to reduce risk at our level crossings so far as is reasonably practicable.

Improving Level Crossing safety is therefore one of Network Rail's key priorities.

Closing level crossings is the only way to fully eradicate the risk. However, it is not always possible or practicable to immediately close all level crossings. Aside from financial and practical constraints, user convenience still needs to be a key consideration. A broad range of targeted interventions and initiatives are therefore needed to manage safety at crossings which remain open.

Any new development would need to provide an assessment of the impact on any nearby Level Crossings and in some cases, planning obligations may be required to mitigate the impacts on it.

Policy A13 Southbourne Broad Location for Development - Several strategic sites have been identified across the district, with a significant amount west of Chichester which require reconsideration. Policy A13, which proposes 1050 new homes, will result in significant upturns in use of the Penny Lane and Church crossings, which are currently public footpath crossings and have high risk factors. Large-scale development could therefore warrant closure or installation of a footbridge. The Council should be aware of this as these projects are costly and would require requisite funding.

Network Rail are in the process of completing a risk assessment on the affected crossings. However, for context we recently reviewed the Copse level crossing (located approximately 1.9km eastwards from Penny Lane) which resulted in a 300% use increase from a 112home development (Planning Application SB/22/01283/FULEIA).

#### Change suggested by respondent:

References should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan Response - <https://chichester.oc2.uk/a/spn>

## Support

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Network Rail (Sam Bhatti, Graduate Surveyor) [8048]

#### Summary:

In general [Policy I1 is] supported in the sense it promotes seamless and continuous active travel arrangement and minimise car use.

#### Full text:

Thank you for consulting Network Rail on the above consultation, I can confirm we wish to make the following comments.

Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland, and Wales. As statutory undertaker, Network Rail is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.

Having been in consultation with the train operating company, Southeastern Rail, of particular interest to Network Rail is the need to integrate active travel infrastructure and promote First and Last Mile principles. In addition, the impact of development on train stations and existing level crossings.

#### First and Last Mile Considerations

We encourage the Council to consider not only the impact of development on the railway itself, but also on the first and

last mile element of passengers' journeys. This factors in access to and from the railway, as well as how other transport modes are integrated and how well communities are connected.

Failure to integrate this represents an issue for rail travel as people who start journeys by car will likely continue to drive rather than stop to change to the train, as the cost and time of parking and train tickets offer no benefit to them.

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- Aligning with local and national policy to reduce carbon emissions and meet netzero targets, by encouraging more active modes of transport such as walking and cycling
- Providing a seamless journey experience where various modes of transport are integrated, including bus and rail services
- Providing an accessible and inclusive offering of transport modes to both local residents and visitors
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Policy T1 – in general this is supported. References to a 'coordinated package of infrastructure improvements' along the A27 should be replaced with a 'coordinated package of active travel and public transport improvements infrastructure', as this is more specific in emphasising that car transport should be minimised as much as possible.

Policies T2 and I1 – in general these are supported in the sense they promote seamless and continuous active travel arrangement and minimise car use. However, references should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time. The provision of amenities and leisure facilities within a 15-minute walk should be a cornerstone idea that drives mid to long term infrastructure goals for Chichester. Owing to the considerable amount of development anticipated by the Council, there is ample opportunity for local businesses and retailers to provide services within these local neighbourhoods.

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The Local Plan has proposed site allocations across the district, for this reason the resulting increase to the use of stations should be recognized and mitigated against so that rail travel remains an attractive mode of transport. Failure to upgrade stations will result in less rail passengers which is counter productive to the Council's goals of a thriving public transport system.

Southbourne and Fishbourne Stations - Network Rail have concerns about the impact of future development on Southbourne and Fishbourne stations. As the stations themselves are small-sized, large-scale accessibility improvements would be potentially difficult. As a result, the provision of cycle parking facilities at both stations should be considered as crucial by the Council to ensure the station environment continues to modernize and encourage passenger use. This also ensures the stations integrate with proposed cycle/pedestrian routes across the area.

#### Level Crossing Considerations

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to protect rail passengers, the public, the railway workforce, and to reduce risk at our level crossings so far as is reasonably practicable.

Improving Level Crossing safety is therefore one of Network Rail's key priorities.

Closing level crossings is the only way to fully eradicate the risk. However, it is not always possible or practicable to immediately close all level crossings. Aside from financial and practical constraints, user convenience still needs to be a key consideration. A broad range of targeted interventions and initiatives are therefore needed to manage safety at crossings which remain open.

Any new development would need to provide an assessment of the impact on any nearby Level Crossings and in some cases, planning obligations may be required to mitigate the impacts on it.

Policy A13 Southbourne Broad Location for Development - Several strategic sites have been identified across the district, with a significant amount west of Chichester which require reconsideration. Policy A13, which proposes 1050 new homes, will result in significant upturns in use of the Penny Lane and Church crossings, which are currently public footpath crossings and have high risk factors. Large-scale development could therefore warrant closure or installation of a footbridge. The Council should be aware of this as these projects are costly and would require requisite funding.

Network Rail are in the process of completing a risk assessment on the affected crossings. However, for context we recently reviewed the Cope level crossing (located approximately 1.9km eastwards from Penny Lane) which resulted in a 300% use increase from a 112home development (Planning Application SB/22/01283/FULEIA).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan Response - <https://chichester.oc2.uk/a/spn>

## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Suez (Sita UK) (Emma Smyth, Senior Planning Manager) [11]

**Summary:**

Developers should not be responsible for costs of infrastructure " in perpetuity".

**Full text:**

This representation is made by SUEZ Recycling & Recovery Southern Ltd (SUEZ), who along with SUEZ Recycling & Recovery UK Ltd forms part of the SUEZ group of companies within the UK. This representation is made in response to the Chichester Local Plan 2021-2039 Proposed Submission consultation.

SUEZ Recycling & Recovery Southern Ltd are the landowner of part of the land subject to the draft strategic site allocation 'Land East of Chichester' identified in draft Policy A8.

**Change suggested by respondent:**

Remove " in perpetuity"

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Reg 19 SUEZ Response - 17-03-22.pdf - <https://chichester.oc2.uk/a/sdp>

## Object

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**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Support approach of Policy I1 but there is perhaps a missed opportunity to make reference to some of the infrastructure to be covered by the IDP, particularly where funded in totality or in part via CIL. Note that a site-specific Infrastructure Plan has been prepared for Kingsham. This is welcome albeit it makes no reference to the River Lavant Flood Alleviation Scheme so it is understood that this would be a strategic matter (right and proper given the established properties at risk). Assume any and all relevant in-perpetuity costs, as described in criteria (v) have been taken into consideration in whole plan viability modelling. Similarly, trust that feasibility and costs associated with installing Gigabit-capable broadband have informed the whole plan viability modelling.

**Full text:**

See attachment.

**Change suggested by respondent:**

In the interest of clarity, River Lavant Flood Alleviation Scheme could be explicitly referenced in the supporting text at para.9.3. Would be grateful if 'commitment' to Alleviation Scheme could be drawn out in wider IDP together with an indication of programme, as well as potential upgrade works to Apuldram Waste Water Treatment Works.

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

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**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

Sub-point (iv) can only require 'future-proofing' to be secured through the application of reasonable allowances, rather than be treated as an absolute term, and hence is ineffective in its current form.  
In Sub-point (v), if the intention is to ensure that appropriate fixed commuted sums are identified to cover a period of maintenance for infrastructure, this should be stated.

**Full text:**

See attachment.

**Change suggested by respondent:**

Consider revising (iv) wording to:

"Appropriate allowances should be made to future-proof development to take account of the impacts of climate change, ...."

Consider the following wording for (v):

"To consider and meet the costs of construction for infrastructure, including for its future management and maintenance through appropriate commuted sum payments".

Criterion (vii) - to be effective for all site-specific circumstances, suggest 'where possible' be added after the word 'benefits'.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/smp>

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## Object

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**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Policy requires all residential development to provide gigabit-capable broadband infrastructure at first occupation. However, delivery of such connections is dependent on infrastructure providers and feasibility/ viability of connections. Policy as currently drafted may restrict housing delivery. Detailed submission in attachment disputing assumptions in viability assessment.

**Full text:**

See attachments.

**Change suggested by respondent:**

Part R of Building Regulations addresses requirement for new development and part vii can be removed from policy on that basis. If provision is retained, then it is recommended that this policy be amended as follows:  
"vii seek where possible to provide gigabit-capable broadband infrastructure".

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/snj>

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

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## Object

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**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Fishbourne Meadows Residents' Association (Lou Johns, Chairman) [8194]

**Summary:**

Question whether development will be supported by sufficient provision of key infrastructure.

**Full text:**

REPRESENTATION TO THE PLANNING POLICY TEAM RE THE LOCAL PLAN MARCH 2023

Our interests in reading the Local Plan 2023 are namely:

The INFRASTRUCTURE NEEDED TO SUSTAIN SUBSTANTIAL DEVELOPMENT

YOU SAY: To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area.

Key infrastructure to support the Local Plan will include improvements to transport, open space and green infrastructure, education, health, water supply and removal, telecommunications, flood risk and coastal change management and the provision of minerals and energy Page 33

CAN YOU ACHIEVE THIS?

ROADS - already suffering with surface damage and from too high density of traffic

YOU SAY: A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.

Page 33 CAN YOU ACHIEVE THIS?

MANAGEMENT OF SEWAGE TREATMENT AND DISPOSAL

YOU SAY: Sewerage undertakers will need to work with regulators to deliver improvements in wastewater infrastructure to support new development and to ensure adverse environmental impacts are avoided on internationally designated habitats. Improvements to water efficiency, conservation and storage capacity will be made.

Page 33 CAN YOU ACHIEVE THIS?

THE IMPACT SUBSTANTIAL DEVELOPMENT WILL HAVE ON OUR UNIQUE AND PRECIOUS ENVIRONMENT. INCREASING LIGHT POLLUTION.

YOU SAY: 12. Protect and enhance the existing biodiversity and important ecological corridor linking Chichester Harbour and the South Downs National Park.

Any development will need to: /

- a. Provide multifunctional green infrastructure both across the site and linking development to the surrounding countryside and Chichester city;
- b. Provide mitigation for any loss of watercourse habitat resulting from culverting for highway provision in the development;
- c. Provide buffer zones to sensitive habitats such as ancient woodland; Page 223

CAN YOU ACHIEVE THIS?

We applaud the words written down on efforts regarded as essential for the conservation of the AONBs and SSSIs of the Harbour. We applaud the efforts to maintain the wonderful view of the Cathedral from various aspects of the City. But we have little faith of these foreseen problems being effectively dealt with.

If the stretch of the A259 from Southbourne (which is classified as a Settlement Hub) to Fishbourne, where we already experience serious impact in congestion and noise, is going to be allocated several thousand new houses by 2030, I cannot imagine how the road will be able to start coping with that increased density of traffic. Another several thousand x 1.5 average vehicles per house will be using this already regularly gridlocked road.

We would implore that you actually managed to achieve what you are setting out with this wordy document but we have little faith, in fact, do not believe, that our environment and the precious habitats and lives of our wonderful local flora and fauna will be enhanced or even upheld in the process and we therefore believe that this Local Plan is unsound.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/spw>



## Object

**Document Element:** Policy I1 Infrastructure Provision

**Respondent:** Julie Fogden [8210]

**Summary:**

[RECEIVED LATE]

I know I am too late to contribute to the local plan! Where are the new schools, doctor, dentist? All these houses and no infrastructure, I have lived here all my life and no new doctors and only private dentists, where do my grandchildren go? Let alone people who move here, still not enough school places for all the children, lots of promises...Grayingwell Estate..eco town? Life is getting harder to move around as you know the roads are awful and please improve the bus station but don't move it!

**Full text:**

[RECEIVED LATE]

I know I am to late to contribute to the local plan! Where are the new schools, doctor, dentist? All these houses and no infrastructure, I have lived here all my life and no new doctors and only private dentists, where do my grandchildren go? Let alone people who move here, still not enough school places for all the children, lots of promises...Grayingwell Estate..eco town? Life is getting harder to move around as you know the roads are awful and please improve the bus station but don't move it!

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Chapter 10: Strategic and Area Based Policies, 10.1

**Respondent:** Spiby Partners Ltd [7301]

**Agent:** Henry Adams Planning Ltd (Ms Ellie White) [7536]

**Summary:**

Understand approach taken in terms of selection of sites to meet 535 dpa but significantly lower than standard method figure of 638 and previously consulted figure of 650 dpa. Paragraphs 5.6.5 and 11.2.3 of Transport Study indicate 700 dpa could be accommodated (in southern plan area) by mitigation proposed for the 535 dpa scenario plus additional mitigation at the Portfield roundabout. Council have not considered increased housing requirement could assist with funding necessary highway improvements and this should be further reviewed in order to aim to meet minimum of 638 dpa. Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities.

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Spiby Partners. The submission covers the general principles of the Local Plan but has a focus on Land east of Foxbridge Drive and south of the B2145, Hunston. The land is shown on the attached plan HA Appendix 1: Site Location Plan, and hereafter referred to as 'the site'.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Local Plan or at least through the allocation of numbers to the Parish, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1: Spatial Strategy, sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1: Meeting Housing Needs sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

5

2.5 The SA discusses the potential growth scenarios and confirms two points:

(i) Standard method housing figure for Chichester (excluding South Downs National Park) is 638 dwellings per annum, or 11,484 in total over the Plan period; and

(ii) The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa).

2.6 Of particular note is that point ii. seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. It should be noted here that the 435 dpa figure within the 2015 Local Plan was below the identified need of 505 dpa. This reduced housing figure was accepted on the basis of an early review, but this early review did not take place.

2.7 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan figure, amounting to 575 dpa. This is lower than both the standard method figure of 638 dpa and the previously consulted Preferred Approach figure of 650 dpa which accommodated some unmet need from the South Downs National Park Authority.

2.8 This draft Local Plan seeks to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network and constraints on Waste Water Treatment Works. The Council therefore arrive at a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

2.9 The Transport Study (January 2023) is the key document on which the Council rely to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study notes that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesignated and not costed), mitigation works.

2.10 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure in the Transport Study, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF, do not appear to exist and the Plan could be considered unsound on this point alone.

2.11 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need. This is 6

of relevance given that the previous Local Plan underprovided against the OAN, and when considering the scale of development expected for adjoining authorities, including the highly constrained SDNP.

Given that it is not accepted that the A27 capacity matters present a ceiling in terms of housing delivery, it is not accepted that the Plan and associated SA demonstrate that reasonable alternatives have been considered. The plan is not therefore positively prepared, nor is the approach to housing figures justified.

Effective?

2.12 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.13 It should also be noted that the Plan does rely on the delivery of Neighbourhood Plan and/or Small Site Allocations DPD. This is set out under Policy H3 in the draft document.

This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.14 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst the comments are noted above that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the Supplementary Development Plan Documents in order to help ensure it is completed.

Is the plan consistent with National Policy?

2.15 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence

to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify the alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Duty to Cooperate

3.1 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

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3.2 The draft Plan does not address any need requirements in relation to unmet housing need of neighbouring authorities. Nor does it contain evidence to suggest that these matters have been discussed with the adjoining Authorities.

3.3 The housing figures presented do not account for unmet need from the South Downs National Park Authority. Whilst a Statement of Common Ground has been referred to, it has not been published and therefore it is not possible to determine whether the decision not to make any provision for the National Park is sound.

3.4 Further, Arun District Council has confirmed that it will be objecting to the Plan as currently proposed on the basis that it has a significant housing need. This is likely to be further influenced by Chichester not meeting its own needs, a repeat of the 2015 situation which resulted in Arun having to address some of this within its 2018 Local Plan.

3.5 If the Plan is to proceed on the basis of providing 575dpa as per Policy H1, this will amount to a shortfall of 1,100 dwellings over the plan period. Without any Statements of Common Ground, it is unclear as to how this shortfall will be addressed.

### 4 The Site and its suitability

4.1 The Site comprises approximately 4.25 hectares of agricultural land located to the south of the B2145 and east of Foxbridge Drive. Agricultural access is taken from the B2145 which abuts the entirety of the northern boundary. The western boundary adjoins residential property Oakdene and properties at Foxbridge Drive and Farm Close. The Site is not located within or in close proximity to any land at risk of flooding, nor is it in proximity to any heritage assets.

4.2 In policy terms, the Site is located outside but adjoining the settlement boundary to the west and is otherwise unconstrained. The latest Housing Economic Land Availability Assessment (HELAA) (2021) assessed the Site positively, with potential to deliver approximately 80 dwellings in the medium term.

4.3 In terms of accessibility, the Site is sustainably located and well connected with the local footpath and cycle network. There is a surfaced path that runs along the northern boundary of the site, largely separated from the road behind a hedge. This is not a designated footpath as it forms part of the National Cycle Network Route 2 however, it is used as such as it connects into the tow path that runs along the Chichester Canal which travels north into Chichester or south towards the sea. A footpath is also located along the B2145, providing access to services within the village.

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4.4 The Tow Path travelling into Chichester is also part of National Cycle Network Route 2 which connects directly into the heart of the city. This then connects into other cycle networks north into Kent and west towards Portsmouth and beyond.

4.5 Initial feasibility studies determine that approximately 3 hectares of the site could be suitable for residential development. The area for development would be focused around the western boundary whilst the remaining area would comprise formal and informal open space alongside additional planting and a robust landscaping strategy that will respect the Ancient Woodland at Hunston Copse whilst ensuring net biodiversity gain and green infrastructure connectivity with the biodiversity corridors that have been identified to the north and east. Creating a landscape buffer to the east will also create a clear, defensible boundary to the village.

4.6 The allocation and development of this land would provide a number of benefits to the local community;

- > The Site is well-connected to local services and facilities, within walking distance of the village facilities such as the Hunston Store and Post Office, pub, village hall, playing fields and canoe club;
- > Para GA4.1 specifically states that traffic issues continue to cause major concerns within the parish. Being located north of the village with direct access onto the B2145 means the site would minimise additional traffic through the village;
- > Proposals would include additional footpaths north-south to ensure connectivity away from the main road whilst linking with existing footpath 188 which runs east-west around the site;
- > The Site is not subject to any environmental designations or constraints and is not liable to flooding;
- > A suitable landscaping strategy would ensure net biodiversity gain and green infrastructure connectivity with existing biodiversity corridors to the north and east;

- > A landscape buffer to the east would create a clear, defensible boundary to the north-eastern edge of the village;
  - > Provision of formal and informal open space would be of benefit to residents throughout the community and to the north of the village especially;
  - > The Site is not constrained and does not rely upon significant infrastructure improvements in respect of delivery;
  - > Development proposals would include a mix of high-quality homes, with the potential to include starter homes, bungalows suitable for the elderly and affordable housing to meet the varying needs of the community; and
- 9
- > Any future development would make contributions to local facilities and infrastructure.

#### 5 Conclusion

5.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa figures, this is significantly lower than the standard method figure of 638 and previously consulted figure of 650 dpa. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa scenario plus some additional mitigation at the Portfield roundabout.

5.2 The Council do not appear to have considered that the increased housing requirement could assist with funding the necessary highway improvements and thus this should be further reviewed by the Council in order to aim to meet the minimum of 638 dpa.

5.3 The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the National Park.

#### Change suggested by respondent:

Site proposed for additional allocation - see attachment.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/sgg>

## Object

**Document Element:** Chapter 10: Strategic and Area Based Policies, 10.1

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

#### Summary:

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Encourage approaches to support net zero, travel behaviour etc]. We are aware of the relationship between development planning and the transport network, and we are mindful of the effects that planning decisions may have on the operation of the SRN and associated junctions. We cannot cater for unconstrained traffic growth generated by new developments, and we therefore encourage: policies and proposals which incorporate measures to reduce traffic generation at source; more sustainable travel behaviour; net zero, reduce emissions and act on the climate emergency.

#### Full text:

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to

support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling

o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as

Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.

- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.

- Industry standard transport intervention costings.

- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.

- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

"Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when

planning for growth in all local authority areas. Any M&M framework must be based on a “worst case scenario” whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Chapter 10: Strategic and Area Based Policies, 10.1

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

#### Summary:

Policies applicable to allocations or general developments should specify the minimum standard each should meet in terms of Plan objectives and developers required to provide demonstrable evidence in support.

#### Full text:

Recent history suggests new developments have been site-centric providing ‘lip-service’ to wider economic, social and environmental needs. Policies applicable to allocations or general developments should specify the minimum standard each should meet in terms of Plan objectives and developers required to provide demonstrable evidence in support.

#### Change suggested by respondent:

Policies applicable to allocations or general developments should specify the minimum standard each should meet in terms of Plan objectives and developers required to provide demonstrable evidence in support.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Letter to Council Goodwood - <https://chichester.oc2.uk/a/t8h>

## Support

**Document Element:** Chapter 10: Strategic and Area Based Policies, 10.1

**Respondent:** Natural England (Heather Twizell) [8189]



**Summary:**

Natural England has reviewed all proposed housing and employment site allocations using our inhouse mapping system and greatly appreciate your authority sharing the shapefiles with us to make this possible. We do not object to any of the site allocations.

We note that where relevant policies include requirements relating to the natural environment (including protected sites), wildlife corridors, Biodiversity Net Gain, GI, SuDs, waste water/nutrient neutrality and protected landscape considerations and fully support this approach.

We appreciate that in a number of cases our advice on specific site allocations at the statutory Regulation 18 stage has been incorporated into these requirements.

We further note that a number of the policies A2 (Chichester City), A12 (Chidham and Hambrook), A13 (Southbourne) and A15 (Loxwood) simply allocate broad locations for development at this stage with further detail on specific sites to come via either a Neighbourhood Plan or an updated Site Allocations document. This makes it difficult to provide detailed advice on potential impacts at this stage but the policy requirements provided thus far appear reasonable.

**Full text:**

Summary of advice

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and

Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

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**Document Element:** Chichester City, 10.2

**Respondent:** Chichester City Council Neighbourhood Plan Steering Group (Councillor Sarah Quail) [8184]

**Summary:**

We request that paragraph 10.2 is updated to refer to the forthcoming Chichester Neighbourhood Plan, and not the existing vision document.

**Full text:**

See attachment.

**Change suggested by respondent:**

We request that paragraph 10.2 is updated to refer to the forthcoming Chichester Neighbourhood Plan, and not the existing vision document.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/syp>

## Object

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**Document Element:** Chichester City, 10.2

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

The walk from Chichester station to the city centre is not continuous as it is interrupted by a signalised crossing of the A286 and walking and cycling to and from many other parts of the city the routes are not continuous.

The top priority must be to make the walking route between the station and city centre continuous so that people walking do not have to wait at the signalised crossing, but can walk without interruption to the city centre, motor vehicles

Chichester City Centre is congested with cars and land taken for cars to drive and parking. If most parking were moved outside the city walls and south of the railway line this will reduce city centre traffic and congestion enabling either a reduction of lanes or reallocation to bus lanes on the Southwestern section of the ring road and facilitate release of city centre land for more people-oriented priorities and encourage modal shift towards sustainable modes.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Chichester City, 10.4

**Respondent:** RADAR (. RADAR ACTION GROUP, Member) [7813]

**Summary:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently. Past performance undermines the Soundness of the Plan and possibly the Legality.

**Full text:**

RADAR objects to this on the grounds of Soundness. CDC has a dismal track record on Planning Enforcement. What confidence can any Inspector have that the CDC will implement or enforce proposed Policies given what has happened at a Premises in West Street recently. (Address withheld for Legal reasons) Past performance undermines the Soundness of the Plan and possibly the Legality.

A clear distinction between the residential areas within the city centre is sought. Zoning og bar and night time economy should be sought, for the protection of the Conservation Area and Residents.

Listed buildings in residential areas should not be used as amplified music venues whatsoever.

The Historic City should protected take into account the sensitivity/character of the area of the Cathedral,Boarding School and the Conservation Area and Residents.

The Church of Rome & The Church Of England now have a stricter Policy and ethos in place of encouraging community usage for their deconsecrate churches and buildings

**Change suggested by respondent:**

A clear distinction between the Residential areas within the City Centre.  
Zoning of Bar and night time economy should be sought.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

We support this policy, identifying that it has scope to highlight opportunities for Green Infrastructure and Biodiversity Net Gain as per paragraph 174 & 175 of the NPPF.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** John Newman [8169]

**Summary:**

I agree with Policy A1, subject to the reservation I expressed concerning the inevitability of the continued disappearance of city centre shops and the consequent need to think seriously about alternatives. I would also add the need to resolve the complaints I hear about the state of some pavements, and repeat the point I have made several times already about park and ride.

**Full text:**

See attachment.

**Change suggested by respondent:**

Park and Ride Scheme to be included.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** John Newman [8169]

**Summary:**

Support in principle.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are supportive of the policy intention to "maximise opportunities for integration of natural features to achieve biodiversity net gain and sustainable water management."

**Full text:**

We are supportive of the policy intention to "maximise opportunities for integration of natural features to achieve biodiversity net gain and sustainable water management."

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 [confirmed representation should be categorised as Support]. We support the preparation of supplementary planning document(s) or development plan document(s) as a framework for coordinated transport/traffic planning and identifying the required transport improvements.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable

mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra

time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

In which case why is the city only earmarked for 450 additional properties, 1300 including Minerva Heights, of which 800 are in the process of being completed. Why are more of the Brownfield sites throughout the city not being earmarked for development and regeneration - to add the aspired green spaces, entertainment and leisure facilities, business.

#### Full text:

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).



The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of “cart before the horse” thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District’s population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council’s record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to ‘Hold the Line’ vs. ‘Managed Retreat’ in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city’s ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called ‘resilient road’ with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the “most crash prone A road” in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be

enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### **Change suggested by respondent:**

The Local Plan needs to be more ambitious than just saying that elsewhere within the city, there are a number of sites and locations which may have potential for redevelopment in the future, subject to the relocation or rationalisation of existing uses.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### **Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.

- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently

effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands

affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

### 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”  
Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.



However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way

- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method...” The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

“5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa.”

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: “New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas.” (our emphasis).

It continues at paragraph 13: “where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people’s mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and

neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified.” (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that “includes moving away from transport planning based on predicting future demand to provide capacity (‘predict and provide’) to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including ‘vision and validate,’ ‘decide and provide’ or ‘monitor and manage’). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages.” (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN “Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference.” (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this

is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to "roll forward" this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport

Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of "zero-sum" game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous "predict and provide" approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that "shared mobility" – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this "cars first" approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester "This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone." This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council "has moved away from 'predict and provide'" and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a "predict and provide" strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be



decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d'être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 "Development and the Strategic Highways Network", applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

"31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

#### 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the

need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;

2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

“d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities”;

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site”

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective “tick box” exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures

are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The

current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ...

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

" ...

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via



Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

"...  
12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities

and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“ ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

...”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“ ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

...”

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made

sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

"...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It

has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms

closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

“Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the ‘Five Villages’ area in Arun District; and..”

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

"...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Facilitate improved access to the city with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx -  
<https://chichester.oc2.uk/a/skh>

## Support

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support in principle but wording changes needed. See additional rep - 5923.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** The Chichester Society (Mr Peter Evans, Chairman) [8021]

**Summary:**

In bullet point 9 add:

'including provision for all bus services to access both West Street and Southgate'

**Full text:**

See attached representation.

**Change suggested by respondent:**

In bullet point 9 add:

'including provision for all bus services to access both West Street and Southgate'

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CHI-SOCIETY-LOCAL-PLAN - <https://chichester.oc2.uk/a/spj>

## Support

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway welcome opportunity to contribute to Plan's realisation of Policy A1, providing new development in the allocated Southern Gateway which will enhance city's role as a sub-regional centre and visitor destination, contribute to meeting local needs while conserving and enhancing city's historic character and heritage. Contend that draft Policy 'A1' as conveyed in the draft Plan has been positively prepared, is fully justified, effective and consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** Chichester City Council Neighbourhood Plan Steering Group (Councillor Sarah Quail) [8184]

**Summary:**

We are pleased to see several references to the importance of design quality (e.g., Policy A2 Chichester City – Strategic housing location) and would wish to strengthen this to include the need for a Chichester-specific design review panel that can input into housing design and planning matters, to improve the on-site results and its wider public acceptability.

**Full text:**

See attachment.

**Change suggested by respondent:**

We want references to the CNP in these sections (and others too) to function as “hooks” that will allow the CNP to align most effectively with the CDC LP.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/syp>

## Object

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support, but strengthen the improved access to the city and sustainable modes of travel by revising the bullet point.

- “Support and promote improved access to the city by active travel and public transport, especially providing continuous direct walking routes between the railway station and all areas of the city centre, updating the transport strategy as necessary.”

There should be another bullet point about reducing car use in the city centre

- “Move car parking spaces from city centre locations to locations further out for people to walk into the city centre, with only disabled and expensive premium parking within the city walls.”

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>



## Object

**Document Element:** Policy A1 Chichester City Development Principles

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Opportunity to add at Chichester Gate

To facilitate suggestion in Policy A1 to relocate parking outside the city centre to reduce traffic and improve walking and cycling. Engage with the owners of Chichester Gate to expand their car park into a multi-story car park, then build an iconic gateway to Chichester, with a high level walkway with travelators to provide spectacular views of Chichester Cathedral and City, from the suggested multi-story car park, alongside Cineworld across Terminus Road, alongside the autocentre, across Southern Gate, alongside Chichester Gate Job Centre, across the railway possibly including ticket machine, ticket barrier, ramp and lift to platforms, the passing super market to merge with walkway alongside the multi-story car park that bridges Avenue De Chartres and comes out in South Street.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A2 Chichester City – Strategic housing location

**Respondent:** Landacre (Chichester) Limited [8110]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

The proposed 270 home allocation should comprise a minimum figure, which for the reasons set out above in relation to the A27 would be feasible. It should also set out that the Council should consider a mix of both city centre and edge of city sites to ensure a mix of house types and sizes, with town centre more likely to comprise flats and edge of settlement a mix of 1-4 bedroom homes, which will include family homes.

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation on behalf of our client Landacre (Chichester) Limited. The submission covers the general principles of the Local Plan, but has a focus on land at New Bridge Farm, Clay Lane Chichester, which is in our client's control. The land is shown on the attached context plan (land outlined in purple) included at Appendix 1 and hereon referred to as the site.

1.2 This representation will provide a written responses in relation to the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for Examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District. This could be through an allocation within the Council's Local Plan, or at least through an allocation of numbers to the Parish, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period. Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- ☒ Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- ☒ The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity.

2.7 It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.8 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the Transport Study (2023) which concludes that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that our client do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.9 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa, with some additional (as yet undesignated and not costed), mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts. The absence of consideration of additional improvements works appears to be a significant oversight in the preparation of the Transport Study and overall plan making.

2.10 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure in Transport Study, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF, do not appear to exist and the Plan could be considered unsound on this point alone.

2.11 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.12 It should also be noted that the draft Plan does not therefore address any requirements in relation to unmet housing need of neighbouring authorities. Nor does it contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015. The subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.13 Given that our client does not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.14 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.15 It should also be noted that the plan does rely on the delivery of Neighbourhood Plan and / or Small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.16 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst my comments are noted above that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.17 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Development in Chichester City

3.1 Our clients land is located within Chichester City on land north of Clay Lane. The draft Local Plan sets out that the city of Chichester is the main settlement with a population of around 29,193(4) and is the principal location for the provision of higher education and shopping facilities. The city is renowned for its cathedral, its historic heritage and university and is the largest centre of employment in the plan area. The Plan goes on to state that most new development will be well located in and around the main settlements of Chichester, together with Tangmere and Southbourne.

3.2 As would be expected, the Local Plan allocates a significant proportion of housing to the city, which includes a site specific allocation of 1,600 homes to the west of Chichester under Policy A6 (part of current Local Plan allocations), 680 homes to the east under Policy A10, 500 homes to Westhampnett and 585 homes at Shopwyke Lakes. A further allocation of housing numbers for 270 homes under Policy A2 are proposed for Chichester City to be delivered as part of a Neighbourhood Plan for the area site allocations DPD.

3.3 The proposed 270 home allocation should comprise a minimum figure, which for the reasons set out above in relation to the A27 would be feasible. It should also set out that the Council should consider a mix of both city centre and edge of city sites to ensure a mix of house types and sizes, with town centre more likely to comprise flats and edge of settlement a mix of 1-4 bedroom homes, which will include family homes.

3.4 Our position on the approach to further allocations and the need for clear timescales to ensure soundness of the Plan is set out at 2.13-2.16 above.

### 4 Suitability of land New Bridge Farm, Clay Lane, Chichester

4.1 The site covers an area of approximately 3.1 hectares and located to the North-East of Fishbourne. The site comprises of an open field, bordered by mature foliage and fencing. The site is reasonably flat. The frontage is on the Southern boundary of the application site, which benefits from access to Clay Lane. It could be suitable for a quantum of development between 50-70 dwellings.

4.2 Access to the site is via an existing agricultural access from Clay Lane, which adjoins the southernmost corner of the site. The potential means of access has been the subject of a formal pre-application enquiry with WSCC as highway authority. This confirmed that a suitable means of access could be achieved for circa 70 dwellings.

4.3 Whilst the access would go through part of the proposed wildlife corridor to the west of the city, the upgrade of the access is not considered to undermine the overall intentions or integrity of the wildlife gap. However, our client would maintain that a wildlife corridor would better serve the area to the west of Fishbourne, rather than to the west of city. This is an uninterrupted route, as opposed to that currently proposed.

4.4 The site is located within flood zone 1, with a small area of surface water flood risk area identified outside of the site, along the Western boundary.

4.5 The site is located to the North-East of the village of Fishbourne, which comprises a settlement of approximately 2,325 people. Whilst the site does not directly adjoin the settlement boundary, the site is abutted by the approved development scheme at White House Farm Development. The site is therefore enclosed by recently approved development to the north and east. Furthermore, to the South, on the other side of Clay Lane an application for 25 dwellings was approved under reference CC/17/03117/FUL and the A27 embankment to the west. Therefore, it is reasonable to say that the site is enclosed by an established principle of development.

4.6 The site also benefits from direct connection to the public footpath network, which runs along the western and northern boundaries. This continues west through White House Farm (1,600 home allocation) and onwards to the city centre.

4.7 The site has the potential to deliver homes in a sustainable location, on a site that would effectively comprise an infill form of development. The site is suitably located to deliver housing without harm to cultural heritage of the city.

### 5 Conclusion

5.1 Whilst we understand the approach the Council has taken in terms of the selection of sites to meet the 535 dpa

figures, we consider that the Plan area is capable of accommodating a greater housing quantum. This will facilitate development and meet the objectives of the Local Plan. The Council have failed to provide sufficient justification for not meeting its housing need in full and have not suitably considered unmet need from adjoining authorities. The latter is particularly relevant given constraints of the SDNP. The Council's position of growth is predicated on the basis of the A27 not having sufficient capacity to accommodate a higher growth of 535 dpa. Its own evidence base (Transport Study 2023) contradicts this position and therefore the Council should at least be meeting their local housing need and also considering what part it can play with meeting unmet needs for the adjoining authorities.

5.2 At present, the Plan fails to be positively prepared and is inconsistent with the NPPF. On the basis that the Council don't reconsider their position, we wish to be present at the relevant Examination hearings to represent our clients' interests and further discuss the views set out in this submission.

#### Change suggested by respondent:

The proposed 270 home allocation should comprise a minimum figure, which for the reasons set out above in relation to the A27 would be feasible. It should also set out that the Council should consider a mix of both city centre and edge of city sites to ensure a mix of house types and sizes, with town centre more likely to comprise flats and edge of settlement a mix of 1-4 bedroom homes, which will include family homes.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/swn>

## Object

**Document Element:** Policy A2 Chichester City – Strategic housing location

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]

#### Summary:

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

#### Full text:

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

#### Transport Overview

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.

The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

#### Deliverability of Key Infrastructure

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to

be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

#### Sustainable Transport Infrastructure & Measures

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

## Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

### 1) Education

#### Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments, ...'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

#### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

### 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.

- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

### 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

### 4) Highways and Transport

#### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

#### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

#### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

#### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

### 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

### Change suggested by respondent:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.

**Legally compliant:** Not specified



**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>

Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Support

**Document Element:** Policy A2 Chichester City – Strategic housing location

**Respondent:** John Newman [8169]

**Summary:**

I agree and hope that I can really believe that the sustainable transport options will really happen.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Object

**Document Element:** Policy A2 Chichester City – Strategic housing location

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

The broad site allocation lacks specific detail on its environmental impact, therefore we are unable to either support or object at this stage.

We welcome point 5 requiring habitat protection.

**Full text:**

The broad site allocation lacks specific detail on its environmental impact, therefore we are unable to either support or object at this stage.

We welcome point 5 requiring habitat protection. We request that any future allocation requires a site survey for ancient woodland and ancient & veteran trees, and that appropriate buffers are applied, before the number and layout of dwellings is agreed.

**Change suggested by respondent:**

We request that any future allocation requires a site survey for ancient woodland and ancient & veteran trees, and that appropriate buffers are applied, before the number and layout of dwellings is agreed.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A2 Chichester City – Strategic housing location

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

The consultation document does not seem to provide a map to identify the area defined by this allocation, so it is difficult for SWT to give specific feedback on impacts to biodiversity.

We are encouraged to see the policy requirements acknowledge under bullet point 5, the need to avoid impacts on biodiversity, and the potential for the area to deliver gains for biodiversity.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Given the urban nature of the allocation, we would also like to see the policy make reference to the importance of delivering strategic Green Infrastructure across this large area for allocation, as per section 175 of the NPPF 2021.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy A2 Chichester City – Strategic housing location

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Noting the need for a master plan and to collaborate]. Reinforce that a master planning process presents an opportunity for the Council, and early consultation/working with key stakeholders, to

- consider traffic associated with the developments using, accessing, and exiting the A27
- consider viable alternatives to the private car and the possible travel routes
- understand future infrastructure requirements
- develop a package of mitigation measures with detailed costing
- utilise Travel Plan monitoring strategies triggered through phased development
- collect appropriate mitigation funding

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or

severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.

- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the ‘Strategic road network and the delivery of sustainable development’ (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the

development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Support

**Document Element:** Policy A2 Chichester City – Strategic housing location

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are supportive of the policy requirements for allocations to accord with the sequential approach to flood risk, with development being located in areas at the lowest risk of flooding (requirement 9), and the need for phasing to ensure that wastewater disposal capacity is available (requirement 10).

**Full text:**

We are supportive of the policy requirements for allocations to accord with the sequential approach to flood risk, with development being located in areas at the lowest risk of flooding (requirement 9), and the need for phasing to ensure that wastewater disposal capacity is available (requirement 10).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A2 Chichester City – Strategic housing location

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

How can it be the primary area of focus for new housing development when 270 house represents only 2.6% of the total housing need as set out in Chapter 5.

How many brownfield sites are there within the City as identified in the 2021 HELAA?

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of

“cart before the horse” thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District’s population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council’s record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to ‘Hold the Line’ vs. ‘Managed Retreat’ in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city’s ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called ‘resilient road’ with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the “most crash prone A road” in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Policy A2 Chichester City – Strategic housing location

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Welcome that Policy A2 requires minimum of 270 dwellings to be allocated for development in Chichester City. This is important for providing flexibility should additional dwellings be able to be brought forwards sustainably, recognising the plans inability to meet the local housing need. Support design led approach, requiring development to be master planned and designed for a high quality form of development. Contend that Policy A2 as conveyed in the draft Plan has been positively prepared, is fully justified, effective and consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>



## Object

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**Document Element:** Policy A2 Chichester City – Strategic housing location

**Respondent:** Chichester City Council Neighbourhood Plan Steering Group (Councillor Sarah Quail) [8184]

**Summary:**

We are pleased to see several references to the importance of design quality (e.g., Policy A2 Chichester City – Strategic housing location) and would wish to strengthen this to include the need for a Chichester-specific design review panel that can input into housing design and planning matters, to improve the on-site results and its wider public acceptability.

**Full text:**

See attachment.

**Change suggested by respondent:**

We want references to the CNP in these sections (and others too) to function as “hooks” that will allow the CNP to align most effectively with the CDC LP.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/syp>

## Object

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**Document Element:** Policy A2 Chichester City – Strategic housing location

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Chichester City is quite compact with the whole city within easy cycling distance, most walking distance

7. and 8. Need changing

7. “Provide safe and suitable access points for all users and facilitate the requisite contributions for active travel infrastructure improvements and public transport”

8. “Ensure all new housing is linked with the city centre and railway station by continuous, direct, safe, attractive, comfortable walking and cycling routes”

**Full text:**

See attached.

**Change suggested by respondent:**

7. “Provide safe and suitable access points for all users and facilitate the requisite contributions for active travel infrastructure improvements and public transport”

8. “Ensure all new housing is linked with the city centre and railway station by continuous, direct, safe, attractive, comfortable walking and cycling routes”

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A2 Chichester City – Strategic housing location

**Respondent:** The Chichester Society (Mr Peter Evans, Chairman) [8021]

**Summary:**

The Society wishes to encourage a higher density where new residential development takes place close to the city centre such as the Southern Gateway regeneration project.

**Full text:**

See attached representation.

**Change suggested by respondent:**

In Chapter 10, Policy A2 Chichester City – Strategic housing location, we suggest adding 'high density' so it reads 'to provide for a high quality, high density form of development...'

The Society recommends we add the following policy to A2: 'Proactively encourage the relocation of unneighbourly uses to the periphery of the city close to the A27 to free up sustainable sites for housing development within walking distance of the city centre (e.g. within the western part of Quarry Lane industrial estate.. I). The Local Plan should state the importance of developing high-density housing on brownfield sites within walking distance of the city centre.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CHI-SOCIETY-LOCAL-PLAN - <https://chichester.oc2.uk/a/spj>

## Support

**Document Element:** Southern Gateway Regeneration Area, 10.11

**Respondent:** Ms Catharina de Haas [7864]

**Summary:**

This is a wonderful idea, but more sites should be included in this plan. The masterplan should include the Bus Station Bus station depot, Basin Road car park (A4), the police field along Kingsham Road (A5), and the Railway land and the Post office sorting office (they might become available if the Masterplan is more ambitious in scope). This will allow a large residential area with high density housing and shared facilities. The current proposal is not large enough to make a proper Masterplan that does justice to the town and addresses the lack of adequate housing and facilities.

**Full text:**

This is a wonderful idea, but more sites should be included in this plan. The masterplan should include the Bus Station Bus station depot, Basin Road car park (A4), the police field along Kingsham Road (A5), and the Railway land and the Post office sorting office (they might become available if the Masterplan is more ambitious in scope). This will allow a large residential area with high density housing and shared facilities. The current proposal is not large enough to make a proper Masterplan that does justice to the town and addresses the lack of adequate housing and facilities.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

SouthernGateway\_Summary.pdf - <https://chichester.oc2.uk/a/ssd>

## Object

**Document Element:** Southern Gateway Regeneration Area, 10.11

**Respondent:** Mr James Birkett [7876]

**Summary:**

The Southern Gateway Regeneration area needs to be founded on a masterplan that is ambitious, green, reduces car usage and includes uses not currently enjoyed in the city.

For SG to be achieved CDC needs to appoint a dedicated resource qualified to handle complex land, property regeneration negotiations and urban design, capable of delivery.

**Full text:**

The Southern Gateway Regeneration area needs to be founded on a masterplan that is ambitious, green, reduces car usage and includes uses not currently enjoyed in the city.

This plan focusses on only two sites in Kingsham Road. The masterplan should include Bus Station and Depot, Railtrack land, Royal Mail, Basin Edge, The Law Courts in order that when these become available a strategic approach is in place.

For SG to be achieved CDC needs to appoint a dedicated resource qualified to handle complex land, property regeneration negotiations and urban design, capable of delivery.

**Change suggested by respondent:**

See Section 3.9 response - This plan focuses on only two sites in Kingsham Road. The masterplan should include Bus Station and Depot, CDC adjacent car park, Railtrack land, Royal Mail, Basin Edge, The Law Courts in order that when these become available a strategic approach is in place. Chichester lacks uses that can be incorporated within a larger Southern Gateway. An innovation centre, music venue, 750 homes, a green pathway for pedestrians and cyclists through the city, 5\* Hotel with restaurants spilling on basin edge and an office development around a courtyard on the Bus station site for WSCC, CDC, Sussex Police, Fire authority and Chichester Medical centre. All located on one site.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Southern Gateway Regeneration Area, 10.13

**Respondent:** Mrs anna corbett [7899]

**Summary:**

I refer to paragraph 10.13. Replacing the bus station with bus stops will not achieve the environmental and social objectives required by government. We should be encouraging the use of public transport and encouraging visitors to the city, (environmental and social objectives) We need a attractive, warm, welcoming bus station with accessible travel information, somewhere to sit etc, next to the railway station. Bognor has one why not us?

**Full text:**

I refer to paragraph 10.13. Replacing the bus station with bus stops will not achieve the environmental and social objectives required by government. We should be encouraging the use of public transport and encouraging visitors to the city, (environmental and social objectives) We need a attractive, warm, welcoming bus station with accessible travel information, somewhere to sit etc, next to the railway station. Bognor has one why not us?

**Change suggested by respondent:**

Build a new bus station near the railway station

**Legally compliant:** No

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Southern Gateway Regeneration Area, 10.13

**Respondent:** Mr Joseph O'Sullivan [35]

**Summary:**

If the bus station is being replaced by bus stops what kind of welcome is that to visitors to Chichester arriving by public transport? Is it in keeping with CDC declaration of a climate emergency and a desire to replace cars with public transport!

**Full text:**

If the bus station is being replaced by bus stops what kind of welcome is that to visitors to Chichester arriving by public transport? Is it in keeping with CDC declaration of a climate emergency and a desire to replace cars with public transport!

**Change suggested by respondent:**

The existing bus station will be replaced by a modern new bus station providing an attractive welcome to Chichester visitors. This will be developed in conjunction with Network Rail and possibly using some of the redundant Chichester station land previously used for goods transportation etc.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Southern Gateway Regeneration Area, 10.13

**Respondent:** The Chichester Society (Mr Peter Evans, Chairman) [8021]

**Summary:**

We suggest that paragraph 10.13 is re-written as follows: 'Relocation of the existing bus depot will be required with the bus station upgraded or replaced by a new transport hub immediately to the north of the rail station booking hall.'

**Full text:**

See attached representation.

**Change suggested by respondent:**

We suggest that paragraph 10.13 is re-written as follows: 'Relocation of the existing bus depot will be required with the bus station upgraded or replaced by a new transport hub immediately to the north of the rail station booking hall.'

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CHI-SOCIETY-LOCAL-PLAN - <https://chichester.oc2.uk/a/spj>

## Object

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**Document Element:** Southern Gateway Regeneration Area, 10.17

**Respondent:** Mr James Birkett [7876]

**Summary:**

The Masterplan for Southern Gateway must be retained in its original 2017 vision and then improved. The vision of the masterplan by CDC made fundamental improvements to Chichester. More uses, higher density, reduction in the use of cars are not ambitious enough. There are many other areas where community improvements can be gained together with good affordable housing, traffic realignment, green route to Northgate, bus stops, innovation centre, music venue and local government HQ hub. Some require subsidies through CIL/S106. This can only be achieved with a comprehensive masterplan with all developers contributing to the wider good of the masterplan.

**Full text:**

The Masterplan for Southern Gateway must be retained in its original 2017 vision and then improved. The vision of the masterplan by CDC made fundamental improvements to Chichester. More uses, higher density, reduction in the use of cars are not ambitious enough. There are many other areas where community improvements can be gained together with good affordable housing, traffic realignment, green route to Northgate, bus stops, innovation centre, music venue and local government HQ hub. Some require subsidies through CIL/S106. This can only be achieved with a comprehensive masterplan with all developers contributing to the wider good of the masterplan.

**Change suggested by respondent:**

The Masterplan for Southern Gateway must be retained in its original 2017 vision and then improved.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Southern Gateway\_Summary CdeH Mendip Capital.pdf - <https://chichester.oc2.uk/a/ssg>

## Support

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**Document Element:** Southern Gateway Regeneration Area, 10.17

**Respondent:** Mr James Birkett [7876]

**Summary:**

Support in principle.

**Full text:**

The Masterplan for Southern Gateway must be retained in its original 2017 vision and then improved. The vision of the masterplan by CDC made fundamental improvements to Chichester. More uses, higher density, reduction in the use of cars are not ambitious enough. There are many other areas where community improvements can be gained together with good affordable housing, traffic realignment, green route to Northgate, bus stops, innovation centre, music venue and local government HQ hub. Some require subsidies through CIL/S106. This can only be achieved with a comprehensive masterplan with all developers contributing to the wider good of the masterplan.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Southern Gateway\_Summary CdeH Mendip Capital.pdf - <https://chichester.oc2.uk/a/ssg>

## Object

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**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Mr Michael Wright [7848]

**Summary:**

The rail station should be a public transport interchange/hub.

**Full text:**

The rail station should be a public transport interchange/hub.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Dr Carolyn Cobbold [6612]

**Summary:**

There is a once-in-a-generation opportunity to redevelop the city centre Southern Gateway area of Chichester to provide many more affordable houses than that included in the Local Plan including the provision of a major hotel, retail, restaurants, a health centre, music venues, modernised Law Courts, a transport hub based at the train station and an innovation centre in the historic bus depot.

**Full text:**

There is a once-in-a-generation opportunity to redevelop the city centre Southern Gateway area of Chichester to provide many more affordable houses than that included in the Local Plan including the provision of a major hotel, retail, restaurants, a health centre, music venues, modernised Law Courts, a transport hub based at the train station and an innovation centre in the historic bus depot.

**Change suggested by respondent:**

The Plan should acknowledge the potential of the Southern Gateway to deliver AT LEAST 270 dwellings, potentially many more, and state that work will continue to create a visionary masterplan for the area through liaison with WSCC, the Post Office, British Rail, the Department of Justice, and other large landowners in the town centre.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Mr James Birkett [7876]

**Summary:**

Southern Gateway provides a once in a century opportunity to create a green, car free area of Chichester. With good urban design at its heart Chichester has the opportunity to create a pedestrian and cycling city. Like Amsterdam, Cambridge and to some extent London, Chichester is level.

**Full text:**

Southern Gateway provides a once in a century opportunity to create a green, car free area of Chichester. With good urban design at its heart Chichester has the opportunity to create a pedestrian and cycling city. Like Amsterdam, Cambridge and to some extent London, Chichester is level. More emphasis must be made to ensure that Southern Gateway provides additional uses with a much increased level of housing. The basin / Royal Mail site could create a 5 star Hotel with restaurants and bars on the basin edge. A facility essential for the growth of Chichester.

**Change suggested by respondent:**

More emphasis must be made to ensure that Southern Gateway provides additional uses with a much increased level of housing. The basin / Royal Mail site could create a 5 star Hotel with restaurants and bars on the basin edge. A facility essential for the growth of Chichester.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

---

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Mr James Birkett [7876]

**Summary:**

Support in principle.

**Full text:**

Southern Gateway provides a once in a century opportunity to create a green, car free area of Chichester. With good urban design at its heart Chichester has the opportunity to create a pedestrian and cycling city. Like Amsterdam, Cambridge and to some extent London, Chichester is level. More emphasis must be made to ensure that Southern Gateway provides additional uses with a much increased level of housing. The basin / Royal Mail site could create a 5 star Hotel with restaurants and bars on the basin edge. A facility essential for the growth of Chichester.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

---

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Mr Cliff Archer [8026]

**Summary:**

Not possible

**Full text:**

Not possible

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

This is an opportunity to provide much needed sustainable, affordable housing, which would attract younger people to make their homes in the city. There is too much emphasis on retail, café and restaurant use which could be in danger of becoming a white elephant like Chichester Gate. 170 homes on two sites is profoundly unambitious. Creative master planning is needed to take advantage of the space in building a significant number of affordable homes sustainably located without the need for car ownership. Retail uses should be directed to the city and not take the place of housing.

**Full text:**

This is an opportunity to provide much needed sustainable, affordable housing, which would attract younger people to make their homes in the city. There is too much emphasis on retail, café and restaurant use which could be in danger of becoming a white elephant like Chichester Gate. 170 homes on two sites is profoundly unambitious. Creative master planning is needed to take advantage of the space in building a significant number of affordable homes sustainably located without the need for car ownership. Retail uses should be directed to the city and not take the place of housing.

**Change suggested by respondent:**

More emphasis on housing rather than retail

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Support in principle

**Full text:**

This is an opportunity to provide much needed sustainable, affordable housing, which would attract younger people to make their homes in the city. There is too much emphasis on retail, café and restaurant use which could be in danger of becoming a white elephant like Chichester Gate. 170 homes on two sites is profoundly unambitious. Creative master planning is needed to take advantage of the space in building a significant number of affordable homes sustainably located without the need for car ownership. Retail uses should be directed to the city and not take the place of housing.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Support

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

Sadly, this is a missed opportunity to create a significant number of quality, affordable, eco homes to meet the housing need. It would be the most sustainable location of any in the plan, not requiring a car to access every day facilities, schooling, employment etc. It would attract the very young people and families that are needed to regenerate the city. Retail uses are really not needed here. South Street is full of empty retail units and the city centre is drowning in coffee shops.

This would be in danger of becoming another white elephant like Chichester Gate.

**Full text:**

Sadly, this is a missed opportunity to create a significant number of quality, affordable, eco homes to meet the housing need. It would be the most sustainable location of any in the plan, not requiring a car to access every day facilities, schooling, employment etc. It would attract the very young people and families that are needed to regenerate the city. Retail uses are really not needed here. South Street is full of empty retail units and the city centre is drowning in coffee shops.

This would be in danger of becoming another white elephant like Chichester Gate.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT highlights the close proximity of A3, A4 & A5. We ask CDC to consider these allocations in combination and their ability to deliver a cohesive approach to the integration of Green Infrastructure and Biodiversity Net Gain should be strongly considered by CDC. This doesn't seem to be reflected in this policy of the broad development principles.

**Full text:**

See attached representation.

**Change suggested by respondent:**

In order for the policy to be consistent with national policy (174d, NPPF 2021) we propose an additional bullet point for the policy:

- Deliver an integrated and cohesive approach to green infrastructure across the southern gateway, as part of a wider strategic network.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Support with a requirement for connections]. With the A27 already heavily congested we agree that this precinct should be designed to encourage and facilitate active travel and reduce car dependency with a requirement for connections from the proposed development to the existing active travel infrastructure adjacent to and across the A27 and link with National Cycle Route 2 and Route 88. Identifying a transport strategy that achieves these objectives will however be challenging.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

## Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of

sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan

period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

Is all of the rest land available, are there sites declared in the above statement that are no longer available? It would appear that the redevelopment of this area in a wholly coordinated manner consistent with sound urban planning outcomes is aspirational at best. What other Brownfield sites exist within the confines of the City?

#### Full text:

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It

is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

Paragraph 10:14 of the accompanying text explains that parts of the site in Flood Zones 2 & 3, so development design needs to account for this and mitigate this. We recommend that developers incorporate such considerations into their masterplanning for any sites.

**Full text:**

Paragraph 10:14 of the accompanying text explains that parts of the site in Flood Zones 2 & 3, so development design needs to account for this and mitigate this. We recommend that developers incorporate such considerations into their masterplanning for any sites.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion.

At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus



depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a "first principles" review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

"Effective and ongoing collaboration" on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and "highways improvements" that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that "Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned." (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that "relevant bodies" are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 "Preferred Approach" consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable "new normal" post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

### 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”  
Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are

actually shown to be over capacity in the base model year (2014) in one or both peaks". This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of

intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary

- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

"4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant."

This is a retroactive approach – it is not "planning", based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs Stagecoach Objects because the Plan:



- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method...” The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

“5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU’s) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa.”

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: “New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas.” (our emphasis).

It continues at paragraph 13: “where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people’s mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified.” (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that “includes moving away from transport planning based on predicting future demand to provide capacity (‘predict and provide’) to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including ‘vision and validate,’ ‘decide and provide’ or ‘monitor and manage’). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages.” (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN “Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference.” (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

"1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to "roll forward" this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do

(Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not

least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core raison d'être.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 "Development and the Strategic Highways Network", applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

"31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local

authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;

2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such



as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

“d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities”;

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site”

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective “tick box” exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the

quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park  
Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, unsurveyed and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

- “ ...
- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.
- ...”

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan’s development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

- “ ...
10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,
- ...”

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“ ...  
 12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
 ... ”

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been

effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

"...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

"..."

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

"...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis o maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

"..."

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be

required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

" ...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

" ...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.



This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes “Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes.” (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive “first principles” review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

...”

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

“Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the ‘Five Villages’ area in Arun District; and..”

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“...  
”

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the

A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

## 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

### Change suggested by respondent:

Policy A3 should therefore be modified to read:

"...  
 • Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx -  
<https://chichester.oc2.uk/a/skh>

**Support**

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

#### Summary:

Support

#### Full text:

See attached.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Mr Simon Davenport [7100]

**Summary:**

If not accepted already, the Courts & Bus Station and related area should be registered a conservation area to preserve the early 20th century architecture and style

**Full text:**

If not accepted already, the Courts & Bus Station and related area should be registered a conservation area to preserve the early 20th century architecture and style.

**Change suggested by respondent:**

I have written to the council about the plans for the Southern gateway, asking that it should be enhanced as a public open space with more tree planting and not replaced with new retail units.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Bellway welcome proposed allocation of Southern Gateway regeneration area which lends weight to Southern Gateway Masterplan SPD. Bellway welcome this inclusion and appreciate the masterplan led approach of the proposed allocation, as established through the SPD. Policy A3 establishes a mix of uses and high-level design principles. Bellway contend that the draft Policy 'A3' as conveyed in the draft Plan has been positively prepared, is fully justified, effective and consistent with the NPPF.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Object

**Document Element:** Policy A3 Southern Gateway Development Principles

**Respondent:** The Chichester Society (Mr Peter Evans, Chairman) [8021]

**Summary:**

We consider that some provision should be made for community facilities for younger people. We also consider that Chichester needs an hotel suitable for conferences. Provision in the Southern Gateway area would boost the local economy.

**Full text:**

See attached representation.

**Change suggested by respondent:**

We suggest that in addition the following is added: 'A large multi-use community hall suitable for exhibitions, conferences and musical events particularly for the younger demographic.'

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CHI-SOCIETY-LOCAL-PLAN - <https://chichester.oc2.uk/a/spj>

## Object

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**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Mrs Clare Gordon-Pullar [7010]

**Summary:**

No reference is made to maintaining or improving the amenity of Chichester Canal Basin which is on the southern side of this site. This is a key leisure site and consideration needs to be given to how any development sits along the northern edge of the Basin.

**Full text:**

No reference is made to maintaining or improving the amenity of Chichester Canal Basin which is on the southern side of this site. This is a key leisure site and consideration needs to be given to how any development sits along the northern edge of the Basin.

**Change suggested by respondent:**

Reference needs to be made to the Canal Basin and how any development will fit in with this amenity.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

---

**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Dr Carolyn Cobbold [6612]

**Summary:**

There is potential for a much more ambitious and visionary Southern Gateway masterplan that would enable many more dwellings and facilities by bringing multiple sites in the area together.

**Full text:**

There is potential for a much more ambitious and visionary Southern Gateway masterplan that would enable many more dwellings and facilities by bringing multiple sites in the area together.

**Change suggested by respondent:**

Policies A4 and A5 should be removed from the plan to allow for a wider and more effective strategy to be pursued.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Mr Roger Keyworth [7867]

**Summary:**

■ Objection to A4, particularly bus station proposals detailed at paragraph 10.13.

**Full text:**

I have, just, managed to glance at this plan and more specifically look at the Southern Gateway. For the last 20 years I have lived overlooking the Railway and so will know infinitely more than any consultants you might wish to consult (at vast expense) and, with others, have determined the causes of delays, which are not always the Level Crossing Gates. As one who lives so locally I would suggest that I know as much as any local ward councillors and certainly more than any out-of-town councillors.

The bus depot is, I believe, locally listed as an important structure but it is the Bus station proposals that astonish and amaze me. I am aghast with fury at the idea of replacing the Bus Station with a row of bus stops-this is a moronically stupid idea devoid of any common sense. (Section 10.13).

I would refer you to the Chichester Society's paper, written without the jargon and drivel that populates your proposals (a statement building on the Bus Station site should articulate a sense of arrival-apart from this being utter drivel, how would it because no one would see it, having arrived elsewhere).

I enclose a couple of copies of the Chichester Society Plan-Whilst a member I am not on their committee with a request that you study it very carefully indeed.

A row of bus stops down a windy road is a disgrace, you have only to look at Worthing Sea Front to realise that this does not work. If Redhill can have a small bus facility opposite the Railway Station and Havant and Portsmouth both have excellent Bus Stations, why should we as the County Town have anything worse.

The Chichester Society plan is available on their website and I most strongly urge, no, instruct you to view it and take great heed of the intelligent comments made therein which is far more intelligent than your drivel in your plan. I was amused by the fact that you refer to flooding, very clearly unlikely to occur because there is a canal many metres lower than the development site and if there was flooding the whole of Chichester would be awash and there would be no trains at all. Just go and look at the site to see just what rubbish that is.

I am opposed to all of the policy comments included in Statement A4 relating to the Southern Gateway.

**Change suggested by respondent:**

■ -

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sr5>

## Support

**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Miss Joanna Batty [7868]

**Summary:**

Although on the whole I do support the regeneration of the bus depot and eventually the Royal Mail site, I am concerned for residents on Basin Road to have allocated parking. Currently you can only apply for permits (of which there is both limited supply and space) on Kingsham Road and the remainder is 2h no return (outside post depot and canal). This plan will bring more people to the canal basin and more parking will be required for visitors - please ensure that residence parking is considered and we don't have to fight for a space against the public.

**Full text:**

Although on the whole I do support the regeneration of the bus depot and eventually the Royal Mail site, I am concerned for residents on Basin Road to have allocated parking. Currently you can only apply for permits (of which there is both limited supply and space) on Kingsham Road and the remainder is 2h no return (outside post depot and canal). This plan will bring more people to the canal basin and more parking will be required for visitors - please ensure that residence parking is considered and we don't have to fight for a space against the public.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Mr James Birkett [7876]

**Summary:**

The bus station site creates an opportunity for a central employment / government hub adjacent to the station. WSCC, CDC, Medical Centre Sussex Police and Fire Authority are all considering relocating. Common areas of reception, meetings room, council room, canteen and welfare would rationalise occupational use. It would also provide substantial working benefits as officers and members would meet in the communal areas. Releasing all the land of these organisations would add far more than 110 dwellings The bus depot would make a music venue supported by Chichester University and the public.

**Full text:**

The bus station site creates an opportunity for a central employment / government hub adjacent to the station. WSCC, CDC, Medical Centre Sussex Police and Fire Authority are all considering relocating. Common areas of reception, meetings room, council room, canteen and welfare would rationalise occupational use. It would also provide substantial working benefits as officers and members would meet in the communal areas. Releasing all the land of these organisations would add far more than 110 dwellings The bus depot would make a music venue supported by Chichester University and the public.

**Change suggested by respondent:**

Create an employment local government hub as outlined. Convert the bus depot to a world class music venue. Meetings with Chichester University who have the largest music department in the South East outside London demonstrated they would be very supportive. All the land released by WSCC, CDC, Police, Fire could create around 250+ dwellings.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:**

Southern Gateway\_Summary CdeH Mendip Capital.pdf - <https://chichester.oc2.uk/a/ssk>

## Object

**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

To demolish the bus station and not replace it with a transport hub integrated with the railway station is a profound mistake. The stated aim to enhance the use and accessibility of public transport will not be achieved by locating bus stops randomly along Avenue De Chartres, some distance from the train station, with no facilities. Those who rely on public transport need to be in a place where they can see their onward travel options. Bus travel is not pleasant in the city and this will make it less so. This is more likely to decrease the use of public transport for being arriving in the city as visitors or residents. This is a profound mistake and a missed opportunity.

**Full text:**

To demolish the bus station and not replace it with a transport hub integrated with the railway station is a profound mistake. 'One of the main aims of this regeneration project is to enhance the use and accessibility of public transport'. That will not be achieved by locating bus stops randomly along Avenue De Chartres, some distance from the train station, with no toilet facilities, rest rooms, seating or refreshments. Those who rely on public transport need to be in a place where they can see their onward travel options, do not have to move far to access them and can use facilities. Bus travel is not pleasant in the city and this will make it less so. This is more likely to decrease the use of public transport. This applies to those both arriving in the city as visitors or residents. The transport hub at Portsmouth Hard has done this with considerable success. This is a profound mistake and a missed opportunity.

**Change suggested by respondent:**

Include an integrated transport hub in the Plan.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

This is an appalling policy. Throughout the Plan there are numerous mentions of integrated public transport systems and moving to alternative forms of transport. And yet you are removing the opportunity to do just that by having no plan for a transport hub. Those arriving in the city expect and need to have toilets, information for onward journeys, refreshment and seating areas. Replacing a bus station with a line of bus stops a distance away from the train station is complete folly. Bus travel is dire enough as it is. Look to other cities

**Full text:**

This is an appalling policy. Throughout the Plan there are numerous mentions of integrated public transport systems and moving to alternative forms of transport. And yet you are removing the opportunity to do just that by having no plan for a transport hub. Those arriving in the city expect and need to have toilets, information for onward journeys, refreshment and seating areas. Replacing a bus station with a line of bus stops a distance away from the train station is complete folly. Bus travel is dire enough as it is. Look to other cities

**Change suggested by respondent:**

This policy needs to be completely redesigned to allow for a transport hub incorporating the bus station and the train station.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None



## Object

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**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Southern Water (Ms C Mayall) [1306]

**Summary:**

An explanation of our change request is set out in the attached document, which in summary seeks to ensure consistency across Chichester City policies for developments in the Apuldram WTW catchment, which cover the need for network as well as treatment capacity to be addressed.

**Full text:**

An explanation of our change request is set out in the attached document, which in summary seeks to ensure consistency across Chichester City policies for developments in the Apuldram WTW catchment, which cover the need for network as well as treatment capacity to be addressed.

**Change suggested by respondent:**

Replace " treatment" with " disposal" in criterion 9

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

230317 A4.docx - <https://chichester.oc2.uk/a/s5m>

## Object

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**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

The policy supporting this allocation makes clear under bullet point 6 the need to protect and provide net gains for biodiversity, as per paragraph 174 (d) of the NPPF. We seek clarity from CDC as to why many of the allocation policies say required net gain and do not specify that it must be a minimum of 10% BNG? For urbanised locations such as this allocation, there could be opportunities to deliver significantly more than 10% BNG.

**Full text:**

See attached representation.

**Change suggested by respondent:**

We again reiterate the point made under Policy A3 about maximising the opportunities to deliver for Green Infrastructure and BNG with adjoining allocation A5.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** John Newman [8169]

**Summary:**

I think that you need to think further about the Southern Gateway. I think that it is very important to preserve a transport hub close to the station, and I am far from convinced that what I have read suggested about bus stops is adequate. What, for instance, am I supposed to do if I arrive at Chichester station with a certain amount of luggage and am trying to get to Summersdale? Is no longer having a public transport hub going to persuade more or fewer people to use public transport? I note that today, (16/3/23), there are three letters on this in the Chichester Observer, where the three authors clearly agree with me! To abolish the transport hub will be a disaster and makes a sad joke of any claim about integrated transport policies.

**Full text:**

See attachment.

**Change suggested by respondent:**

I think that you need to think further about the Southern Gateway. I think that it is very important to preserve a transport hub close to the station, and I am far from convinced that what I have read suggested about bus stops is adequate.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sgj>

## Support

**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

This site allocation has areas of Flood Zones 2 and 3 within its boundary. Therefore, we are supportive of the site-specific requirements that the site design should minimise the risk of flooding from all sources and where possible, reduce flood risk overall (requirement 12).

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 9).

**Full text:**

This site allocation has areas of Flood Zones 2 and 3 within its boundary. Therefore, we are supportive of the site-specific requirements that the site design should minimise the risk of flooding from all sources and where possible, reduce flood risk overall (requirement 12).

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 9).

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Ms Jacqueline Jones [6399]

**Summary:**

110 dwellings on Basin Rd car park area would increase traffic onto Basin Road which is already subject to high levels of congestion and pollution. Furthermore upgrade of A27, main access into and out of Chichester via existing Southern gateway routes, has been abandoned by Highways England. Consequently any further housing/commercial developments will exacerbate existing traffic/pollution problems in Gateway areas

**Full text:**

110 dwellings on Basin Rd car park area would increase traffic onto Basin Road which is already subject to high levels of congestion and pollution. Furthermore upgrade of A27, main access into and out of Chichester via existing Southern gateway routes, has been abandoned by Highways England. Consequently any further housing/commercial developments will exacerbate existing traffic/pollution problems in Gateway areas

**Change suggested by respondent:**

Over arching and consistent planning which takes into consideration long term development of Chichester holistically should be adopted rather than knee jerk patchwork of small localities development

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres.

Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is unmonitored and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that

is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan

contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while

protecting, conserving and enhancing the historic and natural environment.”  
Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress is delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates

to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation partake to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.



## 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of

Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

### 3.1. Policy S1 Spatial Development Strategy

#### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

### 3.2. Policy S2 Settlement Hierarchy

#### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

## 4. Climate Change and the Natural Environment

### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

"4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality

issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method...” The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protected is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time the current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first through maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of

planned development or improve the local road network as a first preference.” (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan’s spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be

pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.



The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core raison d'être.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an

already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

7.2. Policy T1 Transport infrastructure  
Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists

to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous "predict and provide" solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

"Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular,

needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council’s aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar of reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints

on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, un specific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

- “ ...
- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.
- ...”

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.  
...(re number remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is un sound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting



housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

"...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

"..."

#### 9.5. Policy A7 Land at Shopwhyke

##### Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lies on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and

from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

" ...  
12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

" ...  
9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;  
..."

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be

required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

" ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

" ...

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

" ...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“ ...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes “Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes.” (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive “first principles” review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan . They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the and impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport

strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“ ...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

## 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

**Change suggested by respondent:**

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines.

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Support

**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support in principle but changes needed. See additional rep - 5926.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** Mr Peter Lansley [5271]

**Summary:**

Replacing the convenient rail-adjacent bus station and depot with bus stops is no 'masterplan' but a misplaced, misguided disincentive to bus travel. There is nothing 'sound' in these proposals, nothing that will meet legal, national, clean air policy tests. Refurbishing the bus station with improved amenities would make all the difference. And encourage bus use.

**Full text:**

My family most strongly object to proposed demolition/removal of Chichester's bus station and depot forming an integrated bus/rail public transport hub located in South Street to be replaced by 'bus stops', making way for a misdirected, misguided, short-sighted Southern Gateway Development Scheme and initiating a 'final nail in the coffin' disincentive to use an already fragmented and broken bus service.

The revised 2023 Local Plan for Chichester and District, including new housing targets and so-called proposed 'regeneration' of the city's Southern Gateway, follow a six week consultation concluding on Friday March 17. A 'Supplementary Planning Guidance' going way back to 2017 envisaged replacing the bus station and depot with bus stops. But a lot has changed since then. COP 26 warned us that it's no longer 'business as usual'. We're facing a climate emergency. Car polluting toxic roads damage health and the natural environment, whereas public transport, cycling, walking, active travel, look to a more viable sustainable future.

Replacing the convenient rail-adjacent bus station and depot with bus stops is no 'masterplan' but a misplaced, misguided disincentive to bus travel. There is nothing 'sound' in these proposals, nothing that will meet legal, national, clean air policy tests. Refurbishing the bus station with improved amenities would make all the difference. And encourage bus use.

Joy Dennis, WSCC Cabinet member for highways and transport (Large funding boost for bus service improvements, 2nd March) says " We are working in partnership with bus companies to do all we can to try to make bus travel as attractive as possible, to help increase passenger numbers, to make it easier for people to get to essential services like shops and businesses, and to leave cars at home in favour of a more sustainable way to travel". I urge Joy Dennis to read John Templeton's letter (March 2nd) which rightly notes "Today, only half of all bus routes run to and from the bus station. This means [local] bus users have to change buses in West Street if they wish to travel anywhere by train. Those from Midhurst to Chichester are served even worse as they cannot even reach West Street but are dropped off at the Westgate roundabout. None of the new greenfield housing estates outside the city have been provided with any bus service at all, so is it any wonder almost everyone travels by car for all their local needs?" Our local 46 bus no longer stops by the former West Street Post Office but now makes a long tedious roundabout twiddle before returning to the opposite cathedral side, which doesn't make it easier for the bus travelling public and to be made even worse by a proposed 'ungreen' demolition of Chichester's existing strategically convenient integrated public bus/rail transport hub.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** None



## Object

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**Document Element:** Policy A4 Southern Gateway – Bus Station, Bus Depot and Basin Road Car Park

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support most

3. Need to emphasise that walking and cycle routes must be continuous, direct, safe, attractive comfortable, following desire line. Crossings must have Hierarchy of road users designed in so that the walking routes are continuous, cycle routes are continuous except where crossing walking routes and motor vehicle routes cross walking and cycle routes designed to make it obvious the need to stop and give way to people walking and cycling.

11. "Provide safe and suitable access points for all users and facilitate the requisite contributions for active travel infrastructure improvements and public transport"

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

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**Document Element:** Policy A5 Southern Gateway – Police Field, Kingsham Road

**Respondent:** Dr Carolyn Cobbold [6612]

**Summary:**

There is potential for a much more ambitious and visionary Southern Gateway masterplan that would enable many more dwellings and facilities by bringing multiple sites in the area together.

**Full text:**

There is potential for a much more ambitious and visionary Southern Gateway masterplan that would enable many more dwellings and facilities by bringing multiple sites in the area together.

**Change suggested by respondent:**

Retain Policy A3 in the plan but remove policies A4 and A5 to allow a Masterplan that would enable more housing, particularly affordable housing, and more facilities for the district

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Policy A5 Southern Gateway – Police Field, Kingsham Road

**Respondent:** Ms Catharina de Haas [7864]

**Summary:**

This should not be a separate entry in the local plan but should be part of the overall Southern Gateway Masterplan. The premise of creating a green low traffic area makes sense, though vehicular access to Kingsham Road has to be planned carefully: destination traffic only for example.

**Full text:**

This should not be a separate entry in the local plan but should be part of the overall Southern Gateway Masterplan. The premise of creating a green low traffic area makes sense, though vehicular access to Kingsham Road has to be planned carefully: destination traffic only for example.

**Change suggested by respondent:**

The proposal below is not entirely clear on what is planned on the site, so it is difficult to make changes. However, housing could be built on or along the field to integrate the row of houses along Kingsham Road into a new community with shared facilities. The field is a flood risk area, so if housing is proposed it could be on a raised deck with parking underneath. The whole plan should be sensitive to biodiversity net gain, use of stormwater for irrigation, and renewable energy. It could be integrated into larger ecological schemes in Chichester such as the greening of the Lavant.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

SouthernGateway\_Summary.pdf - <https://chichester.oc2.uk/a/ssb>

## Object

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**Document Element:** Policy A5 Southern Gateway – Police Field, Kingsham Road

**Respondent:** Ms Catharina de Haas [7864]

**Summary:**

This should not be a separate entry in the local plan but should be part of the overall Southern Gateway Masterplan. The premise of creating a green low traffic area makes sense, though vehicular access to Kingsham Road has to be planned carefully: destination traffic only for example.

**Full text:**

This should not be a separate entry in the local plan but should be part of the overall Southern Gateway Masterplan. The premise of creating a green low traffic area makes sense, though vehicular access to Kingsham Road has to be planned carefully: destination traffic only for example.

**Change suggested by respondent:**

The proposal below is not entirely clear on what is planned on the site, so it is difficult to make changes. However, housing could be built on or along the field to integrate the row of houses along Kingsham Road into a new community with shared facilities. The field is a flood risk area, so if housing is proposed it could be on a raised deck with parking underneath. The whole plan should be sensitive to biodiversity net gain, use of stormwater for irrigation, and renewable energy. It could be integrated into larger ecological schemes in Chichester such as the greening of the Lavant.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:**

SouthernGateway\_Summary.pdf - <https://chichester.oc2.uk/a/ssw>

## Object

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**Document Element:** Policy A5 Southern Gateway – Police Field, Kingsham Road

**Respondent:** Mr James Birkett [7876]

**Summary:**

There are two adjacent sites on Kingsham Road, The Police land and WSCC land. These should be merged for residential. This overcomes the issue of SFRA – which reduces development area of the police land; creates a larger and more sustainable neighbourhood; allows the flood zone offset against a larger site; allows this site to be residential led, against healthcare which is inappropriate in this location; provides a higher value for the relocation of the hockey pitch cost.

**Full text:**

There are two adjacent sites on Kingsham Road, The Police land and WSCC land. These should be merged for residential. This overcomes the issue of SFRA – which reduces development area of the police land; creates a larger and more sustainable neighbourhood; allows the flood zone offset against a larger site; allows this site to be residential led, against healthcare which is inappropriate in this location; provides a higher value for the relocation of the hockey pitch cost.

**Change suggested by respondent:**

By merging The Police and WSCC land a much larger car free neighbourhood can be created within walking / cycling of the transport hub local government hub and medical centre and Chichester's retail and restaurant/ cafe offering.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:**

Southern Gateway\_Summary CdeH Mendip Capital.pdf - <https://chichester.oc2.uk/a/ssz>

## Object

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**Document Element:** Policy A5 Southern Gateway – Police Field, Kingsham Road

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

We again reiterate the point made under Policy A3 about maximising the opportunities to deliver for Green Infrastructure and BNG with adjoining allocations.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy A5 Southern Gateway – Police Field, Kingsham Road

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

We are supportive of the bullet points 5 – 9 within the policy that seek to avoid impacts to biodiversity and maximise gains for biodiversity as per section 174 NPPF 2021.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy A5 Southern Gateway – Police Field, Kingsham Road

**Respondent:** Donnington Parish Council (Mrs Nicola Swann (Parish Clerk)) [888]

**Summary:**

Apuldram WwTW is already currently inadequate per CDC's own admission. Southern Gateway Strategic Allocation AL5 drains to Apuldram WwTW. There are environmental constraints which restrict its capacity to accommodate any further development. Concern about permitting more homes before upgrades to infrastructure are complete. Clear these are necessary for housing growth whilst maintaining and improving water quality of receiving waters. Recent flooding illustrates urgency of upgrades. Southern Water's plans are optimistic and we have concerns this will actually be delivered within 10 years. Across the district the lack of sewage provision is set to worsen until the substantial improvements are delivered.

**Full text:**

Apuldram WwTW is already currently inadequate per CDC's own admission. Southern Gateway Strategic Allocation AL5 drains to Apuldram WwTW. There are environmental constraints which restrict its capacity to accommodate any further development. Concern about permitting more homes before upgrades to infrastructure are complete. Clear these are necessary for housing growth whilst maintaining and improving water quality of receiving waters. Recent flooding illustrates urgency of upgrades. Southern Water's plans are optimistic and we have concerns this will actually be delivered within 10 years. Across the district the lack of sewage provision is set to worsen until the substantial improvements are delivered.

**Change suggested by respondent:**

No further development until the necessary infrastructure improvements are delivered

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A5 Southern Gateway – Police Field, Kingsham Road

**Respondent:** Southern Water (Ms C Mayall) [1306]

**Summary:**

An explanation of our change request is set out in the attached document, which in summary seeks to ensure consistency across Chichester City policies for developments in the Apuldram WTW catchment, which cover the need for network as well as treatment capacity to be addressed.

**Full text:**

An explanation of our change request is set out in the attached document, which in summary seeks to ensure consistency across Chichester City policies for developments in the Apuldram WTW catchment, which cover the need for network as well as treatment capacity to be addressed.

**Change suggested by respondent:**

Replace the word "treatment" with "disposal" in criterion 13.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

230317 A5.docx - <https://chichester.oc2.uk/a/s5n>

## Support

**Document Element:** Policy A5 Southern Gateway – Police Field, Kingsham Road

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are supportive of policy requirement 12 given that part of the site fall within areas of high fluvial flood risk. Flood storage capacity must be retained, or compensated for on a level-by-level basis with hydrological connection to the existing floodplain. Residential development must be directed to areas of the site at lower flood risk.

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 13).

**Full text:**

We are supportive of policy requirement 12 given that part of the site fall within areas of high fluvial flood risk. Flood storage capacity must be retained, or compensated for on a level-by-level basis with hydrological connection to the existing floodplain. Residential development must be directed to areas of the site at lower flood risk.

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 13).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy A5 Southern Gateway – Police Field, Kingsham Road

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support most

11. Need to strengthen to emphasise that walking and cycle routes must be continuous, direct, safe, attractive comfortable

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Support

**Document Element:** Policy A5 Southern Gateway – Police Field, Kingsham Road

**Respondent:** Bellway Homes (Wessex) Ltd [1573]

**Agent:** Chapman Lily Planning (Mr Brett Spiller, Planning Consultancy Director) [8132]

**Summary:**

Welcome allocation at former Police Field, Kingsham Road for 70 dwellings and emphasis placed upon design led approach. Query provision 7 given former use of site/largely urban location unlikely to allow for equivalent appropriate provision in immediate vicinity. Delivery mechanism not transparent. Concur with principle, vulnerable uses should be located outside of areas at most risk from flooding, support SFRA approach/Flood Risk Sequential and Exceptions Test. Clarification required re; River Lavant Flood Alleviation Scheme and headroom at Apuldram Waste Water Treatment Works. Unclear how whole plan viability considerations have fed into site-specific viability assessment. Housing trajectory puts delivery 2032/2033 - unclear what underpins this pace/stepped change, Bellway looking to accelerate delivery.

**Full text:**

See attachment.

**Change suggested by respondent:**

Would suggest that 70 dwellings either be expressed as 'a minimum' or 'approximately', to mirror delivery of 'at least' 10,350 dwellings in Policy H1. Recommend provision 3 is amended to state that key views, particularly of Chichester Cathedral Spire are 'respected' ...' as opposed to 'protected'. Criteria 7 - delivery mechanism and responsibility for provision needs clarification.

**Legally compliant:** Yes

**Sound:** Not specified

**Comply with duty:** Yes

**Attachments:**

Written representation letter - <https://chichester.oc2.uk/a/sqt>

## Support

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**Document Element:** West of Chichester, 10.20

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Paragraph 10.20 accurately summarizes the proposals for the second phase of development with one exception [6045 refers]

**Full text:**

Paragraph 10.20 accurately summarizes the proposals for the second phase of development with one exception – the pavilion associated with the playing pitches has been provided in full as part of the phase 1 permission and sized to accommodate phase 2 requirements. The full sized pavilion is currently being built out. The paragraph should be amended to reflect this.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/sxs>

## Object

---

**Document Element:** West of Chichester, 10.20

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

An exception to the accuracy of the paragraph is that the pavilion associated with the playing pitches has been provided in full as part of the phase 1 permission and sized to accommodate phase 2 requirements.

**Full text:**

Paragraph 10.20 accurately summarizes the proposals for the second phase of development with one exception – the pavilion associated with the playing pitches has been provided in full as part of the phase 1 permission and sized to accommodate phase 2 requirements. The full sized pavilion is currently being built out. The paragraph should be amended to reflect this.

**Change suggested by respondent:**

The full sized pavilion is currently being built out. The paragraph should be amended to reflect this.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/sxs>

## Object

---

**Document Element:** Site Specific Considerations, 10.21

**Respondent:** Mr Edward Bowring [7811]

**Summary:**

The A259 in Fishbourne is already at capacity, with tailbacks from A27 roundabout to the village at rush hour. The road simply can not take any extra traffic as it currently is. The A259 and Clay lane road surfaces are not maintained well enough for the current flow, let alone for the planned new development from Chichester to Southbourne. Our homes on the A259 already shake from passing large vehicles, especially when the A27 is shut. Trying to cross the A259 as a pedestrian with children is already dangerous enough.

**Full text:**

The A259 in Fishbourne is already at capacity, with tailbacks from A27 roundabout to the village at rush hour. The road simply can not take any extra traffic as it currently is. The A259 and Clay lane road surfaces are not maintained well enough for the current flow, let alone for the planned new development from Chichester to Southbourne. Our homes on the A259 already shake from passing large vehicles, especially when the A27 is shut. Trying to cross the A259 as a pedestrian with children is already dangerous enough.

**Change suggested by respondent:**

Only allow a number of new homes in line with what the current road network can handle and protect Chichester harbour AONB and wild life corridors from further pollution. For the roads to be better maintained before any new major development is permitted. To install 20mph zones for A259 villages and more pedestrian road crossings so people can cross safely. Consider alternative routes to the A259 when the A27 is closed.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Site Specific Considerations, 10.21

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Regarding bullet "increasing capacity to attenuate surface water..."

To avoid confusion and ensure compliance with the NPPF, this bullet point should be updated to reflect criterion 13 of the Policy A6 wording. The proposal is designed to maintain Green Field run off rates and does not increase flood risk off site, taking account of climate change. It does this by utilizing high quality Sustainable Drainage features which attenuate surface water whilst providing landscape and ecological benefits. There is no NPPF requirement to reduce flows below Green Field run off rates and to do so could have unintended consequences.

**Full text:**

Miller and Vistry are broadly supportive of this policy, having committed to deliver significant levels of new public open space on site. However, it is not clear from the policy what the expectations are in terms of which developments would be expected to provide indoor facilities. Given the complex nature and cost of providing indoor sports facilities, there should not be an expectation to provide such facilities unless they have formed part of the early masterplanning of the site. The West of Chichester development is masterplanned to provide space for indoor sport within the Community Building at the center of the site, along with suitable outdoor facilities.

**Change suggested by respondent:**

The bullet point should be updated to reflect the NPPF requirements.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8p>



## Object

**Document Element:** Site Specific Considerations, 10.21

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

To avoid confusion and compliance with the NPPF, this bullet point should be updated to reflect criterion 13 of the Policy A6 wording. The proposals are designed to maintain Green Field run off rates and does not increase flood risk off site, taking account of climate change. It does this by utilizing high quality Sustainable Drainage features which attenuate surface water whilst providing landscape and ecological benefits. There is no NPPF requirement to reduce flows below Green Field run off rates and to do so could have unintended consequences. The bullet point should be updated to reflect the NPPF requirements.

**Full text:**

To avoid confusion and compliance with the NPPF, this bullet point should be updated to reflect criterion 13 of the Policy A6 wording. The proposals are designed to maintain Green Field run off rates and does not increase flood risk off site, taking account of climate change. It does this by utilizing high quality Sustainable Drainage features which attenuate surface water whilst providing landscape and ecological benefits. There is no NPPF requirement to reduce flows below Green Field run off rates and to do so could have unintended consequences. The bullet point should be updated to reflect the NPPF requirements.

**Change suggested by respondent:**

To avoid confusion and compliance with the NPPF, this bullet point should be updated to reflect criterion 13 of the Policy A6 wording.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/sxt>

## Object

**Document Element:** Site Specific Considerations, 10.21

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

This land is close enough to Chichester City Centre that it can be developed as an active travel development, with no generation of traffic except service and delivery vehicles, buses, and blue badge holders. Off site traffic generation should be kept to a minimum with improvements focused on active travel and bus priority, not other capacity for additional cars.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]

**Summary:**

Previous comments have been made requesting policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. Some inconsistencies with wording of strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' May be due to some policies being carried through from the adopted local plan.

**Full text:**

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

## Transport Overview

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.

The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

## Deliverability of Key Infrastructure

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

## Sustainable Transport Infrastructure & Measures

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

#### Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

#### 1) Education

##### Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised

that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments, ...'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

#### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

#### 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

#### 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

#### 4) Highways and Transport

##### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

##### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than

highway schemes” may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

#### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; “The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here” is only supported for pedestrians, not for cyclists.

#### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that “the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues”. In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

#### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council’s analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council’s previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to

adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

#### 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

#### Change suggested by respondent:

Policy to refer to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. Paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments,...'. Should also be included in 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan. Include 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' as appears in other allocation policies.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>

Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Object

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

We can see from aerial photography and information that this allocation appears to already be under construction in a phased manner. It is also sited adjacent to a Strategic Wildlife Corridor. Whilst we acknowledge that the supporting policy has sought to recognise the sensitivities of the habitats within it and the Strategic Wildlife Corridor to the west of the site, we question whether sufficient opportunity has been taken to adequately protect these features. For example, should bullet point 6 also reference Policy NE8 Trees Hedgerows and Woodland, given the ancient woodland on site?

**Full text:**

See attached representation.

**Change suggested by respondent:**

Should bullet point 6 also reference Policy NE8 Trees Hedgerows and Woodland, given the ancient woodland on site?

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 [confirmed representation should be categorised as Comment - Support measures to support consistency and mitigation funding]. Recognise proposed development comprises multiple uses to be delivered individually or cumulatively by multiple developers, increasing complexity of transport needs and traffic demands assessments. Propose measures to provide consistency.

Considerations proposed for mitigation fund for potential off-site traffic impacts.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.



- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the ‘Strategic road network and the delivery of sustainable development’ (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

Proposed consistency measures:

- using one agreed set of trip rates and changing/appropriate trip rates over time;
- interlinkages of Transport Assessments and Travel Plans between different developers ;
- the creation of consortiums or Transport Reference Groups to manage the impacts for the whole development;
- occupation and monitoring trigger points for the development as a whole.

Mitigation provision to address:

- improvements to access onto the A27 in combination with A27 improvement
- improved access to the A27 and surrounding road improvements
- reducing access to the A27 so that the SRN performs more efficiently
- reducing access to the A27 to increase demand for sustainable trips

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Miller and Vistry agree that given the allocation of the site is brought forward from the previous plan and the site has already been master planned, had a concept statement agreed and is at an advanced stage of consideration, it would be inappropriate to require the West of Chichester SDL to provide any self or custom build units (as confirmed by the absence of any self or custom build requirement in Policy A6)

**Full text:**

Miller and Vistry agree that given the allocation of the site is brought forward from the previous plan and the site has already been master planned, had a concept statement agreed and is at an advanced stage of consideration, it would be inappropriate to require the West of Chichester SDL to provide any self or custom build units (as confirmed by the absence of any self or custom build requirement in Policy A6).

**Change suggested by respondent:**

To avoid any potential confusion, suggest the first paragraph of the policy [H6] is amended to make it clear that the requirement for provision of self and/or custom build housing on SDLs is only required where the allocation policy explicitly requires it.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8m>

## Object

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Object to policy [H8] as currently worded; counter to provision of the A6 West of Chichester allocation and masterplan; retrospective inclusion would threaten approach to development and potentially viability.

**Full text:**

We object to this policy as currently worded. Whilst recognizing there may be a need for specialist housing for older persons, the policy as worded runs counter to the provisions of the A6 West of Chichester allocation policy and masterplan for the site, neither of which include for specialist accommodation for older persons referenced in the West of Chichester Allocation policy. Miller and Vistry made comments on the regulation 18 plan (DM2 as was) to the same affect but have had no subsequent discussions with CDC about such a requirement. T

Notwithstanding the above, in response to comments from the Housing Officer to the phase 2 application, the phase 2 proposals do include a proportion of bungalows to cater for down sizers and older persons.

**Change suggested by respondent:**

Recommend policy H8 is reworded to make it clear that provision of specialist accommodation on SDLs will only be expected where allowed for in the relevant allocation policy, having been discussed and agreed with the relevant developer or site promoter.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/t8n>

## Object

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

The lack of infrastructure and in particular sewage means that waste water is being tinkered out of this location on a daily basis. It is incomprehensible that infrastructure will be retrospectively put in place after development has taken place. Consequently, it will undoubtedly cost more, cause increased pollution in the short term. IT IS cart before horse THINKING and is typical of a lack of vision for our City.

Nowhere within the account of the site-specific requirements, does it consider the provision of safe cycle and pedestrian routes into the city centre and secure facilities to leave cycles in the city centre.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build

will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when

they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** Stagecoach South (Rob Vince) [8141]

#### Summary:

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

#### Full text:

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

#### 1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27

corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to

properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4



years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”  
Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include

improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress is delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation partake to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2

show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the ‘Five Villages’ area in Arun District.” We unequivocally endorse this conclusion. Realising a “game-changing” level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we

therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be “enhanced” and “reinforced”.

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District’s mobility and accessibility needs.

### 3.2. Policy S2 Settlement Hierarchy

#### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of

these even today operate relatively frequently

- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first through maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its



needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide has "run out of road" no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework

- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

## 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that

sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d’être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable

modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

...”

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan’s own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan’s Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

- (v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream



sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with

the transport strategy for the city and...”

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council’s wider aspirations for the “Southern Gateway”, and this has governed our approach to the Council to date. We continue to have no “in principle” objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with “dead running” to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic

volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ...

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

" ...

#### 9.5. Policy A7 Land at Shopwhyke

##### Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

"...

12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;

"...

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

"...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

"...

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

"...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

..."

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

“...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms

of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.



Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

"...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

Policy A6 should be modified to read:

"...

10. Make provision to accommodate and secure delivery of for regular bus services running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

..."

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx -  
<https://chichester.oc2.uk/a/skh>

## Support

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Support continued allocation of site. See submitted representation report for detail.

**Full text:**

Support continued allocation of site. See submitted representation report for detail.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/shg>

## Object

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

We have no in principle comment on the continued allocation of employment space at the West of Chichester SDL but the policy [E1] and supporting text should recognize the ever-evolving nature of the employment market and provide sufficient flexibility within the policy to allow for alternative uses to come forward should marketing of employment space generate no viable market interest.

**Full text:**

We have no in principle comment on the continued allocation of employment space at the West of Chichester SDL but the policy and supporting text should recognize the ever-evolving nature of the employment market and provide sufficient flexibility within the policy to allow for alternative uses to come forward should marketing of employment space generate no viable market interest. The reference to 22,000m<sup>2</sup> of employment at West of Chichester should also be expressed ideally as a land area (6Ha to be consistent with the allocation policy A6) or otherwise be expressed as an approximate quantum as detailed design and marketing considerations may mean a different quantum of employment floor space can actually be delivered.

**Change suggested by respondent:**

The reference to 22,000m<sup>2</sup> of employment at West of Chichester [within E1] should also be expressed ideally as a land area (6Ha to be consistent with the allocation policy A6) or otherwise be expressed as an approximate quantum as detailed design and marketing considerations may mean a different quantum of employment floor space can actually be delivered

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/shg>

## Support

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Miller Vistry agree that ensuring effective arrangements are in place to deal with foul drainage is an important consideration. Working with Southern Water, the development will connect to a new pipeline effectively conveying foul drainage to the Tangmere Wastewater Treatment Facility which has recently been upgraded. Similarly, Miller and Vistry agree that high environmental standards should be applied to the treatment of sewage arising from all development.

**Full text:**

Miller and Vistry suggest criterion 14 needs clarifying. Miller Vistry agree that ensuring effective arrangements are in place to deal with foul drainage is an important consideration. Working with Southern Water, the development will connect to a new pipeline effectively conveying foul drainage to the Tangmere Wastewater Treatment Facility which has recently been upgraded. Similarly, Miller and Vistry agree that high environmental standards should be applied to the treatment of sewage arising from all development, however this is a matter beyond the control or remit of Miller and Vistry to directly control. It is the Statutory Water body's (namely Southern Water in this instance) that have a statutory duty to meet set environmental standards as dictated by their permit. The policy needs to be clarified to make that clear. The related point in paragraph 10.21 should also be updated to reflect this position.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/sx3>

## Object

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** Miller Homes and Vistry Group [8065]

**Agent:** Mr Nick Billington [8061]

**Summary:**

Miller and Vistry suggest criterion 14 needs clarifying. Whilst Miller and Vistry agree that high environmental standards should be applied to the treatment of sewage arising from all development, this is a matter beyond the control or remit of Miller and Vistry to directly control. It is the Statutory Water body's (namely Southern Water in this instance) that have a statutory duty to meet set environmental standards as dictated by their permit. The policy needs to be clarified to make that clear. The related point in paragraph 10.21 should also be updated to reflect this position.

**Full text:**

Miller and Vistry suggest criterion 14 needs clarifying. Miller Vistry agree that ensuring effective arrangements are in place to deal with foul drainage is an important consideration. Working with Southern Water, the development will connect to a new pipeline effectively conveying foul drainage to the Tangmere Wastewater Treatment Facility which has recently been upgraded. Similarly, Miller and Vistry agree that high environmental standards should be applied to the treatment of sewage arising from all development, however this is a matter beyond the control or remit of Miller and Vistry to directly control. It is the Statutory Water body's (namely Southern Water in this instance) that have a statutory duty to meet set environmental standards as dictated by their permit. The policy needs to be clarified to make that clear. The related point in paragraph 10.21 should also be updated to reflect this position.

**Change suggested by respondent:**

The policy needs to be clarified to make that clear. The related point in paragraph 10.21 should also be updated to reflect this position.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

784-A112469\_Redacted - <https://chichester.oc2.uk/a/sx3>

## Object

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

Local Authority needs to be satisfied that wastewater capacity exists for future phases of the site.

We are concerned about the policy allowing for new culverts since this is discouraged in the Planning Practice Guidance for Flood risk and Coastal Change (updated in August 2022).

**Full text:**

We note that Phase 1 of the site is connecting to Tangmere Wastewater Treatment Works (WwTW) due to the constraints on the Apuldram WwTW. Subsequent phases of the site are reliant on additional capacity at Tangmere WwTW. The Local Authority must be satisfied at the time of any planning application for future phases that such wastewater capacity exists, and appropriate phasing must be secured via conditions to ensure that occupants are not reliant on package treatment plants or removal of wastewater by tanks. Requirements 14 and 15 deal with this to a certain extent.

We are concerned about requirement 12 b which says "Provide mitigation for any loss of watercourse habitat resulting from culverting for highway provision in the development." We would strongly discourage adding more culverts to watercourses as they are likely to have adverse impacts on flood risk, ecology, human health and safety and amenity whilst increasing maintenance costs and hindering future options to restore the watercourse. The latest Planning Practice Guidance for Flood risk and coastal change says that proposals to introduce new culverting are likely to run contrary to natural flood management objectives and the objectives of River Basin Management Plans (paragraph 067). Therefore, We would recommend the following addition to that requirement:

"Any new additional culverts must be kept to an absolute minimum with alternative approaches explored first, such as natural flood management measures. Any new culvert must be designed in such a way so as to limit their impact on the watercourse, such as by allowing for a suitable depth of substrate to reflect the natural watercourse bed and including mammal ledges as appropriate."

**Change suggested by respondent:**

Additional wording to requirement 12 b:

"Any new additional culverts must be kept to an absolute minimum with alternative approaches explored first, such as natural flood management measures. Any new culvert must be designed in such a way so as to limit their impact on the watercourse, such as by allowing for a suitable depth of substrate to reflect the natural watercourse bed and including mammal ledges as appropriate."

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support in principle but changes required. See additional rep - 5930.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

The Woodland Trust objects to ancient woodland areas being included in sites allocated as suitable for development, in line with the protection given to irreplaceable habitats in NPPF paragraph 180c. This site includes 1ha ancient woodland at grid ref SU84450536, and is adjacent to Upper Rouse Copse (SU84320605) 1.99 Ha and East Broyle Copse (SU85180654) 6.22 Ha.

We recommend redrawing the site boundaries to exclude areas of ancient woodland. As a precautionary principle, a minimum 50m buffer should be maintained between a development and the ancient woodland unless the applicant can demonstrate very clearly how a smaller buffer would suffice.

**Full text:**

The Woodland Trust objects to ancient woodland areas being included in sites allocated as suitable for development, in line with the protection given to irreplaceable habitats in NPPF paragraph 180c. This site includes 1ha ancient woodland at grid ref SU84450536, and is adjacent to Upper Rouse Copse (SU84320605) 1.99 Ha and East Broyle Copse (SU85180654) 6.22 Ha.

Development which would result in the loss of ancient woodland, aged or veteran trees should not be permitted. Direct impacts that would lead to damage or loss of ancient woodland habitat or veteran trees must either be avoided or compensated for if the need is judged to be truly exceptional; there is no appropriate mitigation for the loss of irreplaceable habitats.

We recommend redrawing the site boundaries to exclude areas of ancient woodland from land allocated for development. As a precautionary principle, a minimum 50m buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice.

**Change suggested by respondent:**

Our preference would be for the site boundary to be withdrawn to exclude the area of ancient woodland.

We recommend appending new wording to 6. Deliver a measurable net gain to biodiversity in accordance with Policy NE5 (Biodiversity and Biodiversity Net Gain), and protect and enhance the setting of Brand Hole Copse Local Nature Reserve and areas of ancient woodland and other priority habitats, including chalk streams, including provision of a 50m buffer unless the developer can demonstrate that a smaller buffer would suffice.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

planners-manual-for-ancient-woodland.pdf - <https://chichester.oc2.uk/a/s64>

## Object

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**Document Element:** Policy A6 Land West of Chichester

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support most. 9 and 10. 9 needs to change to exclude off site traffic impacts, except for buses, service and delivery vehicles.

Note, GTR will object to this development if the issues with the dangerous existing shared cycle/footway alongside Via Ravenna between Westgate the railway station are not addressed as outlined above 8.24-8.27

Because walking and cycle routes is required to be provided or funded in 9. The reference can be removed from 10. Which is therefore focused on bus services

**Full text:**

See attached.

**Change suggested by respondent:**

Change wording as follows

9. Provide or fund improved and new walking and cycle routes that are continuous, direct, safe, attractive and comfortable to the city centre, railway station, Fishbourne, South Downs National Park including additional access on to Centurion Way and other destinations ready for use before first occupation.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

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**Document Element:** Policy A6 Land West of Chichester

**Respondent:** Fishbourne Meadows Residents' Association (Lou Johns, Chairman) [8194]

**Summary:**

Concerned regarding the impact substantial development will have on unique and precious environment and the increasing light pollution. Question whether point 12 is achievable.

**Full text:**

REPRESENTATION TO THE PLANNING POLICY TEAM RE THE LOCAL PLAN MARCH 2023

Our interests in reading the Local Plan 2023 are namely:

The INFRASTRUCTURE NEEDED TO SUSTAIN SUBSTANTIAL DEVELOPMENT

YOU SAY: To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area.

Key infrastructure to support the Local Plan will include improvements to transport, open space and green infrastructure, education, health, water supply and removal, telecommunications, flood risk and coastal change management and the provision of minerals and energy Page 33

CAN YOU ACHIEVE THIS?

ROADS - already suffering with surface damage and from too high density of traffic

YOU SAY: A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.

Page 33 CAN YOU ACHIEVE THIS?

MANAGEMENT OF SEWAGE TREATMENT AND DISPOSAL

YOU SAY: Sewerage undertakers will need to work with regulators to deliver improvements in wastewater infrastructure to support new development and to ensure adverse environmental impacts are avoided on internationally designated habitats. Improvements to water efficiency, conservation and storage capacity will be made.

Page 33 CAN YOU ACHIEVE THIS?

THE IMPACT SUBSTANTIAL DEVELOPMENT WILL HAVE ON OUR UNIQUE AND PRECIOUS ENVIRONMENT. INCREASING LIGHT POLLUTION.

YOU SAY: 12. Protect and enhance the existing biodiversity and important ecological corridor linking Chichester Harbour and the South Downs National Park.

Any development will need to: /

- a. Provide multifunctional green infrastructure both across the site and linking development to the surrounding countryside and Chichester city;
- b. Provide mitigation for any loss of watercourse habitat resulting from culverting for highway provision in the development;
- c. Provide buffer zones to sensitive habitats such as ancient woodland; Page 223

CAN YOU ACHIEVE THIS?

We applaud the words written down on efforts regarded as essential for the conservation of the AONBs and SSSIs of the Harbour. We applaud the efforts to maintain the wonderful view of the Cathedral from various aspects of the City. But we have little faith of these foreseen problems being effectively dealt with.

If the stretch of the A259 from Southbourne (which is classified as a Settlement Hub) to Fishbourne, where we already experience serious impact in congestion and noise, is going to be allocated several thousand new houses by 2030, I cannot imagine how the road will be able to start coping with that increased density of traffic. Another several thousand x 1.5 average vehicles per house will be using this already regularly gridlocked road.

We would implore that you actually managed to achieve what you are setting out with this wordy document but we have little faith, in fact, do not believe, that our environment and the precious habitats and lives of our wonderful local flora and fauna will be enhanced or even upheld in the process and we therefore believe that this Local Plan is unsound.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

Written Representation - <https://chichester.oc2.uk/a/spw>

## Object

**Document Element:** Policy A6 Land West of Chichester

**Respondent:** The Chichester Society (Mr Peter Evans, Chairman) [8021]

**Summary:**

We suggest that Section 4, land north of the B2178 Old Broyle Road, is revised to read: 'The two fields to be designated as a SANG, planted as wildflower meadows, added to Brandy Hole Copse Local Nature Reserve and included within the proposed Centurion Way Wildlife Corridor.'

**Full text:**

See attached representation.

**Change suggested by respondent:**

We suggest that Section 4, land north of the B2178 Old Broyle Road, is revised to read: 'The two fields to be designated as a SANG, planted as wildflower meadows, added to Brandy Hole Copse Local Nature Reserve and included within the proposed Centurion Way Wildlife Corridor.'

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CHI-SOCIETY-LOCAL-PLAN - <https://chichester.oc2.uk/a/spj>

## Object

**Document Element:** Land at Shopwyke (Oving Parish), 10.22

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

For this proposed development to not conflict with Chichester District Council declared climate emergency, it is critical the grade separated cycle and walking routes following desire lines are built towards the city centre and railway station. Failure to do this will result in a car based community moving Chichester away from its climate change policy and commitments.

Note, much of this development has already been built contravening Chichester District Council's climate change emergency policy. GTR objects to further development of this site unless before first occupation there is a continuous cycleway including grade separated crossing of A27 following desire line, direct through the city to Chichester Railway station.

The bullet point starting "Maximise the potential for sustainable travel links to the city and towards ....." needs to be strengthened, change wording to

"This will include a grade separated foot and cycle crossing at the A27/Oving Road Junction as part of continuous, direct, safe, attractive, comfortable walking and cycle routes to Chichester City Centre and railway station, and a new foot/cycle bridge following the desire line across the A27 via Coach Road to Westhampnett village."

**Full text:**

See attached.

**Change suggested by respondent:**

The bullet point starting "Maximise the potential for sustainable travel links to the city and towards ....." needs to be strengthened, change wording to

"This will include a grade separated foot and cycle crossing at the A27/Oving Road Junction as part of continuous, direct, safe, attractive, comfortable walking and cycle routes to Chichester City Centre and railway station, and a new foot/cycle bridge following the desire line across the A27 via Coach Road to Westhampnett village."

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A7 Land at Shopwyke (Oving Parish)

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]



**Summary:**

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

**Full text:**

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

**Transport Overview**

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.

The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

**Deliverability of Key Infrastructure**

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

**Sustainable Transport Infrastructure & Measures**

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on

the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

#### Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

## 1) Education

### Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments, ...'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

## 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

## 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

## 4) Highways and Transport

### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

#### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

#### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

#### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

#### 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

#### Change suggested by respondent:

- Policy A7 – needs to include reference to safeguarding waste infrastructure.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>

Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Support

**Document Element:** Policy A7 Land at Shopwyke (Oving Parish)

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

#### Summary:

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 11).

#### Full text:

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 11).

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A7 Land at Shopwyke (Oving Parish)

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

We recognise that information supporting this allocation indicates that outline permission has already been granted for this allocation. SWT has observed on the policies map that this allocation extends into Wildlife Corridor. SWT feels that the policy wording supporting this allocation fails to adequately reflect the opportunities it has to deliver benefits for biodiversity. For example, bullet point 8 seems negatively worded. We suggest this is unsound as is inconsistent with national policy relating to biodiversity; for example, the NPPF paragraph 174(d) makes clear the need to provide net gains for biodiversity.

**Full text:**

See attached representation.

**Change suggested by respondent:**

SWT proposes that the allocation boundary be amended to take it outside the area identified as a Strategic Wildlife Corridor in the 2021 consultation, and that sufficient buffers are incorporated within the new redline boundary to protect the integrity and function of the corridor.

The following addition could be made to bullet point 8:

8) Demonstrate that development would not have an adverse impact on the nature conservation interest of identified sites and habitats and; deliver net gains for biodiversity.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy A7 Land at Shopwyke (Oving Parish)

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking continued collaboration and further information]. We agree that shielding residential properties from noise on the A27, needs to be taken into account in delivering this development. It will be necessary to ensure that the development proposals mitigate appropriately the potential for lighting, noise, and vibration impacts. In terms of noise, we would expect development masterplans to be designed to minimise the exposure to strategic traffic.

With regards to mitigation provision, we are already considering multiple scenarios with you. We seek further information regarding the provision of adequate mitigation for potential off-site traffic impacts on the A27.

Whilst we support improved cycle and pedestrian crossing and footbridge provision we require more information on funding and maintenance arrangements for the proposed infrastructure.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions

- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25),



and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy A7 Land at Shopwyke (Oving Parish)

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

The site has a generally low level of landscape sensitivity and is not prominent when viewed from within the South Downs National Park. However, there are views of Chichester Cathedral spire from parts of the site which should be protected. There are no water courses on site.

What does this mean for Chidham and Hambrook, as our landscape sensitivity is high and there are significant issues of views to and from the South Downs. Additional, there are environmentally sensitive chalk streams in our parish.

Following agreement of reserved matters on the original planning application, a more detailed layout enabled an increase in the density of the site, and a further 85 dwellings have been granted planning permission increasing the allocation capacity to 585 dwellings.

#### Full text:

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is

presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting

upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy A7 Land at Shopwyke (Oving Parish)

**Respondent:** Stagecoach South (Rob Vince) [8141]

#### Summary:

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### Full text:

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

#### 1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped

secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...

...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater

use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.



Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need

for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the ‘Five Villages’ area in Arun District.” We unequivocally endorse this conclusion. Realising a “game-changing” level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at

Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be “enhanced” and “reinforced”.

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

### 3.1. Policy S1 Spatial Development Strategy

#### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

### 3.2. Policy S2 Settlement Hierarchy

#### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

## 4. Climate Change and the Natural Environment

### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

"4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant."

This is a retroactive approach – it is not "planning", based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have

been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

"Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;..."

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is

what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first through maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up

by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan’s spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel



demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has be considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation

Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core raison d'être.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come

forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

...”

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan’s own stated broad approach to transport mitigation, as well as wider

local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

## 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its

affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited



space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, unsurveyed and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

"...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

..."

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the

developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...  
10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,  
..."

#### 9.5. Policy A7 Land at Shopwhyke

##### Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

##### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lies on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as

such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

"...

12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;

..."

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

"...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

..."

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“ ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

“ ...

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

“ ...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only

reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be

produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

...”

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

“Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the ‘Five Villages’ area in Arun District; and..”

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the and impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching

westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

"...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Object

**Document Element:** Policy A7 Land at Shopwyke (Oving Parish)

**Respondent:** Forestry Commission (Richard Cobb) [8202]

**Summary:**

Site specific considerations could recognise the existing trees, hedgerows and woodland and prioritise their protection, enhancement and expansion as part of biodiversity net gains. Acoustic screening referred to could also use trees to make the most of multi-functional benefits they bring.

**Full text:**

Please note that as a Non-Ministerial Government Department, we provide no opinion supporting or objecting to planning applications or local plans including their soundness or legal compliance.

Rather we are including advice and information that we advise the Council consider to ensure their pre-submission local plan avoids potential impacts and promote enhancements/expansion as part of the proposed local plan regarding trees and woodland, including ancient woodland. We acknowledge that the purpose of Regulation 19 consultations does not usually extend to making substantial changes which are not related to soundness so we offer our advice as helpful guidance to ensure the local plan takes every opportunity to secure the protection, enhancement and expansion of Chichester's valuable trees and woodlands to comply with planning policy, good practice and to make the most of the many benefits they provide to the environment, local economy and community.

**Overall Comments**

Ancient woodlands, veteran and ancient trees are irreplaceable habitats, and it is essential that they are considered appropriately to avoid any direct or indirect effects that could cause their loss or deterioration, in line with Government Standing Advice. Ancient Woodland has very high potential ecological value and should act as integral focal points, alongside other locally and nationally designated sites, as part of delivering landscape scale nature recovery.

Any development or plan that include these irreplaceable habitats on or near to the site should aim to deliver high standards of net gains and ecological connectivity that supports wider ecological networks, in line with good practice. This will also be a requirement as part of the local nature recovery strategies being driven by the Environment Act 2021 and we advise that plans should anticipate this to maximise environmental benefits to contribute to reversing the national trend of ecological decline as part of broader nature recovery networks. The Local Plan should be considered as a crucial and timely opportunity to secure significant and strategic, plan-led environmental gains due to their scope and scale, particularly given the timescales of development being influenced that coincide with UK Government commitments regarding halving emissions and protecting 30% of nature by 2030, towards a net-zero carbon and nature positive economy.

The development strategy should prioritise the protection of trees and woodlands with the highest priority being given to ancient woodland, ancient and veteran trees as individual habitats and as part of wider ecological networks.

**Site Allocation comments:**

**Policy A7 Land at Shopwyke (Oving Parish)**

Site specific considerations could recognise the existing trees, hedgerows and woodland and prioritise their protection, enhancement and expansion as part of biodiversity net gains. Acoustic screening referred to could also use trees to make the most of multi-functional benefits they bring.

**Policy A8 Land East of Chichester**

We welcome efforts to bolster the existing woodland and the proposed strategic wildlife corridor to the East and the enhancements that development could bring.

**Policy A11 Highgrove Farm, Bosham**

Bolster planting to North, South and East is welcome. This policy could be improved by requiring bolster planting to the West as well, where there appears to be an existing line of trees, making it well placed to further contribute to wider connectivity with existing and additional planting.

**Policy A12 Chidham and Hambrook and Policy A13 Southbourne Broad Location for Development**

We note that more detailed proposals will emerge as part of a Neighbourhood plans. We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this). The policy could be improved by highlighting its importance and high priority as part of efforts to protect, enhance, expand and connect habitats as



part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area. The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development

#### Policy A14 Land West of Tangmere

The requirement for significant levels of green infrastructure is welcome. This policy could be strengthened by requiring development to retain and bolster existing hedgerows and trees wherever possible.

#### Policy A16 Goodwood Motor Circuit and Airfield and Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

#### Policy A21 Land east of Rolls Royce

This area contains areas of existing trees, hedgerow and woodland which are not currently mentioned by the policy. We would encourage any development to be sensitive to this and provide additional planting where possible.

#### Overarching comments

We would welcome the consideration of incorporating large and small pockets of multi-functional woodland as part of green infrastructure provision for development, particularly given the relatively low proportion of woodland found throughout the District, and the benefits this can have as 'stepping stones' between habitats as part of the Local Plan's welcome vision of strategic wildlife corridors.

We also encourage the Council to appraise the plan against the following advice to maximise the benefits from protection, enhancement and expansion of woodlands, trees and connectivity throughout the District:

#### Additional improvements to consider

- Tree/hedgerow removal is considered as a last resort but where it is justified, we advise that developments can aim to deliver no net deforestation to help encourage development that provides an overall environmental gain. Where trees are required to be removed, additional tree planting will be made to compensate for this loss and we would advise that additional planting should be made to help compensate for the loss of habitat in the time it takes for new trees to mature.
- Long term management and maintenance of planted trees and woodland creation to give them every chance to becoming established and where trees do fail, they are replaced
- A minimum standard for tree canopy cover for new developments (e.g. for large-scale developments) as it provides a targetable level of green infrastructure in relation to trees for the numerous ecosystem services they provide.
- Precautions should be incorporated into any woodland design and tree planting to ensure that habitat creation is established successfully and that potential impacts from deer are managed on site and in the surrounding area as appropriate. See here for further guidance that should be followed for managing impacts from deer as part of woodland creation and tree planting: <https://www.gov.uk/government/publications/woodland-creation-and-mitigating-the-impacts-of-deer/woodland-creation-and-mitigating-the-impacts-of-deer> Some good practice advice is also provided in Appendix 1 of this letter.
- We advise that any tree planting should meet the following:
  - o Trees should be healthy and good practice biosecurity should be followed to prevent the risk of spreading pests and disease, in line with Government advice: <https://www.gov.uk/government/collections/tree-pests-and-diseases>. More information on the plant healthy can be found at: Welcome to Plant Healthy - Plant Healthy
  - o Created or restored habitat should be managed in perpetuity in line with a robust management plan that follows good practice to ensure assumed benefits of created habitats are delivered in practice (see Standing Advice referred to on page 1). We recommend meeting the UK Forestry Standard to demonstrate this.
- To help mitigate climate and support local economy would urge council to develop local plan policy that makes use of locally sourced timber. This has multiple benefits as it can help store carbon within development, reduce impact from transportation, reduce embodied carbon from alternative materials and support local economies and communities.
- Where developments incorporate District Heating, consider locally and sustainably sourced wood-fuels for the benefits this can have for renewable energy and towards a local, circular economy
- Use tree planting as part of nature based solutions for managing flood risk as well as other multi-functional benefits from green infrastructure as part of any development (e.g. Trees and woodlands provide £400 million of value in flood protection)
- We encourage the Council to refine their strategy to trees and woodlands using the recently launched 'Trees and Woodland Strategy Toolkit' available here: <https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/> to design and deliver a local tree strategy to harness the long-term benefits that trees can bring to local communities. The local plan should be developed with tree/woodlands in mind as an integral part, alongside other supplementary strategies for the environment including biodiversity, green infrastructure, nature recovery and climate change.

Key guidance regarding trees, woodland and development

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 180(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In considering the impacts of the development on Ancient Woodland, Ancient and Veteran trees, the planning authority should consider direct and indirect impacts resulting from both construction and operational phases.

Please refer to Natural England and Forestry Commission joint Standing Advice for Ancient Woodland and Ancient and Veteran Trees, updated in January 2022. The Standing Advice can be a material consideration for planning decisions, and contains advice and guidance on assessing the effects of development, and how to avoid and mitigate impacts. It also includes an Assessment Guide which can help planners assess the impact of the proposed development on ancient woodland or ancient and veteran trees in line with the NPPF.

Existing trees should be retained wherever possible, and opportunities should be taken to incorporate trees into development. Trees and woodlands provide multiple benefits to society such as storing carbon, regulating temperatures, strengthening flood resilience and reducing noise and air pollution.[1] Paragraph 131 of the NPPF seeks to ensure new streets are tree lined, that opportunities should be taken to incorporate trees elsewhere in developments, and that existing trees are retained wherever possible. Appropriate measures should be in place to secure the long-term maintenance of newly planted trees. The Forestry Commission may be able to give further support in developing appropriate conditions in relation to woodland creation, management or mitigation.

Biodiversity Net Gain (BNG): Paragraph 174(d) of the NPPF sets out that planning (policies and) decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 180(d) encourages development design to integrate opportunities to improve biodiversity, especially where this can secure net gains for biodiversity. A requirement for most development to deliver a minimum of 10% BNG is expected to become mandatory from November 2023. The planning authority should consider the wide range of benefits trees, hedgerows and woodlands provide as part of delivering good practice biodiversity net gain requirements. Losses of irreplaceable or very high distinctiveness habitat cannot adequately be accounted for through BNG.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Forestry Commission Planning Guidance Annex 1.pdf - <https://chichester.oc2.uk/a/t5r>

## Object

**Document Element:** Policy A7 Land at Shopwyke (Oving Parish)

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

1. Has not happened. What has been built is car based and not sustainable urban extension of Chichester City which urgently needs to be addressed.
4. has already been delivered
5. not strong enough "Make provision" does not mean it will be built, this is critical  
"Foot//cycle bridge will be built following the desire line across the A27 south of Portfield roundabout, and near or at the Oving Road junction and foot cycle bridge will be built following the desire line across the A27 to Coach Road. These should have been built before first occupation and it is critical and urgent that they are built quickly".
6. New and improved walking and cycle routes that are continuous, direct, safe, attractive, comfortable walking and cycle route will be provided linking the site with Chichester City Centre and Railway station. These should have been built before first occupation and it is critical and urgent that they are built quickly, and linking the site with Westhampnett, Oving, Tangmere, and the South Downs National Park"

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Support

**Document Element:** Land East of Chichester, 10.35

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

The site is bounded by Network Rail railway between Chichester and Barnham. It is suggested that access for maintenance, renewal or other works to the railway by Network Rail (and its contractors) is not permitted through this site. This would prevent vehicular access during unsocial hours and avoid trespass on and theft from the railway by the provision of comprehensive and robust fencing between the site and the railway.

**Full text:**

The site is bounded by Network Rail railway between Chichester and Barnham. It is suggested that access for maintenance, renewal or other works to the railway by Network Rail (and its contractors) is not permitted through this site. This would prevent vehicular access during unsocial hours and avoid trespass on and theft from the railway by the provision of comprehensive and robust fencing between the site and the railway.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]

**Summary:**

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

**Full text:**

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

### Transport Overview

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.

The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

### Deliverability of Key Infrastructure

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks

with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

#### Sustainable Transport Infrastructure & Measures

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air

quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes.”

#### Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

#### 1) Education

##### Land West of Chichester

Previous comments have been made requesting that the policy refers to ‘Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision’. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: ‘a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments, ...’

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion ‘Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.’ While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

##### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: ‘A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...’

#### 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.

- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

### 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

### 4) Highways and Transport

#### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

#### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

#### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

#### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel

movements and should also be fitted with transponders for bus priority.

#### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test.

Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

#### 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere.

It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

**Change suggested by respondent:**

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>

Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

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## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

Do not consider current boundary of allocation to be sound. Do not support narrowing of Strategic Wildlife Corridor around proposed allocation (A8) since consultation in 2021. CDC to provide justification for narrowing of Corridor.? Understood from 2021 technical consultation that Corridor was shifted west to incorporate bat data commissioned in part by CDC to inform locations of Strategic Wildlife Corridors, information is available as part of the Local Plan evidence base. SWT does not consider it possible to avoid harm to priority species and habitats in current allocation boundary for A8 due to large area of important woodland habitat for birds and bats in north eastern section of site allocation boundary that would be lost as a result of development.

**Full text:**

See attached representation.

**Change suggested by respondent:**

SWT propose that the allocation boundary of A8 be amended to take it outside the area identified as the modified Pagham to Westhampnett Strategic Wildlife Corridor in the 2021 consultation. In addition sufficient buffers must be incorporated within the new redline boundary to protect the integrity and function of the Strategic Wildlife Corridor.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

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## Support

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Noting the need for a master plan and to collaborate]. Reinforce that a master planning process presents an opportunity for the Council, and early consultation/working with key stakeholders, to

- consider traffic associated with the developments using, accessing, and exiting the A27
- consider viable alternatives to the private car and the possible travel routes
- understand future infrastructure requirements
- develop a package of mitigation measures with detailed costing
- utilise Travel Plan monitoring strategies triggered through phased development
- collect appropriate mitigation funding

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.



Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

## Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take

account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is

considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Mr Allen McDonald [7965]

#### Summary:

Items 7 and 12. The provision of linkages and cycle and pedestrian routes should include Oving as well as Tangmere.

#### Full text:

Items 7 and 12. The provision of linkages and cycle and pedestrian routes should include Oving as well as Tangmere.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

This site has the potential to be harmful to the local environment and be a risk to human health. Work has already commenced on this site to develop it. What if after investigation evidence demonstrates risk to the environment and the general populous – Investigate first to understand the scale of reparations rather than develop first then find something nasty.

#### Full text:

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of

Urban Planning it fails “To meet the needs of the present without compromising the ability of future generations to meet their own needs” (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of “cart before the horse” thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District’s population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council’s record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to ‘Hold the Line’ vs. ‘Managed Retreat’ in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city’s ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called ‘resilient road’ with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the “most crash prone A road” in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact

on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

Appropriate buffers will be required to the strategic wildlife corridor – What is appropriate, not definition? This needs to be explicit particularly when linked to prior points.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub

of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no



ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a "first principles" review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

"Effective and ongoing collaboration" on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and "highways improvements" that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that "Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned." (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that "relevant bodies" are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 "Preferred Approach" consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable "new normal" post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.

The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

### 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”  
Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are

well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks". This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility

hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts

occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road

- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified."



(again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that “includes moving away from transport planning based on predicting future demand to provide capacity (‘predict and provide’) to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including ‘vision and validate,’ ‘decide and provide’ or ‘monitor and manage’). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages.” (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN “Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference.” (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports

accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

“Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be

compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to "roll forward" this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of "zero-sum" game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous "predict and provide" approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that "shared mobility" – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this "cars first" approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester "This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone." This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council "has moved away from 'predict and provide'" and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a "predict and provide" strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to

address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core raison d'être.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 "Development and the Strategic Highways Network", applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

"31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National

Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;

2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also

threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

“d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities”;

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site”

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective “tick box” exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport



strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town

centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities,

that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park  
Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, unsurveyed and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

"...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

"...

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

"...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

"...

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“...  
12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
...”

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

"...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

"..."

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

"...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis o maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

"..."

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

"...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.



It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

“Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the ‘Five Villages’ area in Arun District; and..”

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“ ...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

To become sound Policy A8 must be modified to read:

"...

12. Provide high quality connectivity by sustainable travel modes focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service taking advantage of effective bus priority measures on Oving Road at the A27;

..."

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Royal Society for the Protection of Birds (RSPB) (Mr Jack Thompson, Conservation Officer) [7905]

#### Summary:

The RSPB objects to this site allocation in its current form and does not consider Policy A8 to be 'sound'. The RSPB proposes the removal of the boundary section of Policy A8 that includes the woodland/scrub habitat of the SWC identified in the July to September 2021 consultation. In addition, an appropriate buffer should be provided to safeguard this important habitat and the wider SWC from impacts as a result of development.

**Full text:**

It is the RSPB's understanding, as referred to in our response to Policy NE4 (Strategic Wildlife Corridors), that the site allocation boundary of Policy A8 (Land East of Chichester) intersects the proposed original boundary of the Pagham Harbour to Westhampnett SWC from the July to September 2021 consultation on SWCs. Para 10.30 of the Local Plan states:

'The site lies adjacent to the Pagham to Westhampnett Strategic Wildlife Corridor. As well as a range of wildlife interests the corridor includes one of the few remaining parcels of woodland to the east of the city, foraging areas and commuting routes for a variety of bat species including the rare barbastelle bat. The corridor encompasses former gravel workings which are now lakes, including one lying adjacent to the proposed allocation site, these lakes support a number of notable bird species including the only known breeding site in the district for marsh harriers.'

SWCs have been proposed within the district as 'important features that should be protected, enhanced and created, to protect and promote biodiversity and to prevent fragmentation and isolation of species and habitats' (para 4.14, p.49). As one of the few remaining parcels of woodland to the east of the city, the RSPB considers it critical to protect and enhance this area of woodland within the original boundary of the Pagham Harbour to Westhampnett SWC which is now proposed within the strategic site in Policy A8. This is to ensure the continuation and enhancement of an 'essential function in allowing the movement of species, preventing isolation of populations and degradation of designated sites' (para 4.15, p.49). The movement of species referred to in the above text includes the Section 41 (NERC Act, 2006) species of barbastelle bat (*Barbastella barbastellus*) and Amber-listed (UK Birds of Conservation Concern) marsh harrier (*Circus aeruginosus*) for which this SWC supports as evidenced by both bat surveys commissioned by CDC and bird data provided by Sussex Biological Record Centre and Sussex Ornithological Society.

Further to the above definition of SWCs and their role in the Local Plan, the RSPB does not consider that policy A8 adequately reflects the requirements to protect woodland and trees as outlined in Policy NE8 (bullet point 3, p.63) where 'development proposals will be granted where it can be demonstrated that the follow criteria have been met':

'3. Loss or damage of woodland and hedgerows that are priority habitats and nonprotected but valued trees, woodland, community orchards, and all hedgerows should be avoided, and if demonstrated as being unavoidable, appropriate mitigation measures provided'

Point 8 in Policy A8 (p.232) states the site-specific requirement to:

'Ensure that the design and layout avoids harm to SAC designated species, section 41 priority species, other protected species and the existing habitat features within, and in the vicinity of the site, that support these species.'

The RSPB does not consider it possible to avoid harm to priority species and habitats (as identified above) in the current strategic site boundary for policy A8 due to the large area of important woodland habitat for birds and bats in the north eastern section of the site allocation boundary that would be lost as a result of development. The RSPB objects to this site allocation in its current form and does not consider Policy A8 to be 'sound'. The RSPB proposes the removal of the boundary section of Policy A8 that includes the woodland/scrub habitat of the SWC identified in the July to September 2021 consultation. In addition, an appropriate buffer should be provided to safeguard this important habitat and the wider SWC from impacts as a result of development.

**Change suggested by respondent:**

Propose the removal of the boundary section of Policy A8 that includes the woodland/scrub habitat of the SWC identified in the July to September 2021 consultation. In addition, an appropriate buffer should be provided.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 15).

We would wish to see built development located solely within Flood Zone 1.

**Full text:**

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 15).

We would wish to see built development located solely within Flood Zone 1.

**Change suggested by respondent:**

We would wish to see built development located solely within Flood Zone 1.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support in principle but changes needed. See additional rep - 5934.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Support

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Forestry Commission (Richard Cobb) [8202]

**Summary:**

Forestry Commission provides advice, does not support or object.

We welcome efforts to bolster the existing woodland and the proposed strategic wildlife corridor to the East and the enhancements that development could bring.

**Full text:**

Please note that as a Non-Ministerial Government Department, we provide no opinion supporting or objecting to planning applications or local plans including their soundness or legal compliance.

Rather we are including advice and information that we advise the Council consider to ensure their pre-submission local plan avoids potential impacts and promote enhancements/expansion as part of the proposed local plan regarding trees and woodland, including ancient woodland. We acknowledge that the purpose of Regulation 19 consultations does not usually extend to making substantial changes which are not related to soundness so we offer our advice as helpful guidance to ensure the local plan takes every opportunity to secure the protection, enhancement and expansion of Chichester's valuable trees and woodlands to comply with planning policy, good practice and to make the most of the many benefits they provide to the environment, local economy and community.

Overall Comments

Ancient woodlands, veteran and ancient trees are irreplaceable habitats, and it is essential that they are considered

appropriately to avoid any direct or indirect effects that could cause their loss or deterioration, in line with Government Standing Advice. Ancient Woodland has very high potential ecological value and should act as integral focal points, alongside other locally and nationally designated sites, as part of delivering landscape scale nature recovery.

Any development or plan that include these irreplaceable habitats on or near to the site should aim to deliver high standards of net gains and ecological connectivity that supports wider ecological networks, in line with good practice. This will also be a requirement as part of the local nature recovery strategies being driven by the Environment Act 2021 and we advise that plans should anticipate this to maximise environmental benefits to contribute to reversing the national trend of ecological decline as part of broader nature recovery networks. The Local Plan should be considered as a crucial and timely opportunity to secure significant and strategic, plan-led environmental gains due to their scope and scale, particularly given the timescales of development being influenced that coincide with UK Government commitments regarding halving emissions and protecting 30% of nature by 2030, towards a net-zero carbon and nature positive economy.

The development strategy should prioritise the protection of trees and woodlands with the highest priority being given to ancient woodland, ancient and veteran trees as individual habitats and as part of wider ecological networks.

#### Site Allocation comments:

##### Policy A7 Land at Shopwyke (Oving Parish)

Site specific considerations could recognise the existing trees, hedgerows and woodland and prioritise their protection, enhancement and expansion as part of biodiversity net gains. Acoustic screening referred to could also use trees to make the most of multi-functional benefits they bring.

##### Policy A8 Land East of Chichester

We welcome efforts to bolster the existing woodland and the proposed strategic wildlife corridor to the East and the enhancements that development could bring.

##### Policy A11 Highgrove Farm, Bosham

Bolster planting to North, South and East is welcome. This policy could be improved by requiring bolster planting to the West as well, where there appears to be an existing line of trees, making it well placed to further contribute to wider connectivity with existing and additional planting.

##### Policy A12 Chidham and Hambrook and Policy A13 Southbourne Broad Location for Development

We note that more detailed proposals will emerge as part of a Neighbourhood plans. We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this). The policy could be improved by highlighting its importance and high priority as part of efforts to protect, enhance, expand and connect habitats as part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area. The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development

##### Policy A14 Land West of Tangmere

The requirement for significant levels of green infrastructure is welcome. This policy could be strengthened by requiring development to retain and bolster existing hedgerows and trees wherever possible.

##### Policy A16 Goodwood Motor Circuit and Airfield and Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

##### Policy A21 Land east of Rolls Royce

This area contains areas of existing trees, hedgerow and woodland which are not currently mentioned by the policy. We would encourage any development to be sensitive to this and provide additional planting where possible.

#### Overarching comments

We would welcome the consideration of incorporating large and small pockets of multi-functional woodland as part of green infrastructure provision for development, particularly given the relatively low proportion of woodland found throughout the District, and the benefits this can have as 'stepping stones' between habitats as part of the Local Plan's welcome vision of strategic wildlife corridors.

We also encourage the Council to appraise the plan against the following advice to maximise the benefits from protection, enhancement and expansion of woodlands, trees and connectivity throughout the District:

#### Additional improvements to consider

- Tree/hedgerow removal is considered as a last resort but where it is justified, we advise that developments can aim to deliver no net deforestation to help encourage development that provides an overall environmental gain. In where trees are required to be removed, additional tree planting will be made to compensate for this loss and we would advise that additional planting should be made to help compensate for the loss of habitat in the time it takes for new trees to mature.
- Long term management and maintenance of planted trees and woodland creation to give them every chance of becoming established and where trees do fail, they are replaced
- A minimum standard for tree canopy cover for new developments (e.g. for large-scale developments) as it provides a targetable level of green infrastructure in relation to trees for the numerous ecosystem services they provide.
- Precautions should be incorporated into any woodland design and tree planting to ensure that habitat creation is established successfully and that potential impacts from deer are managed on site and in the surrounding area as appropriate. See here for further guidance that should be followed for managing impacts from deer as part of woodland creation and tree planting: <https://www.gov.uk/government/publications/woodland-creation-and-mitigating-the-impacts-of-deer/woodland-creation-and-mitigating-the-impacts-of-deer> Some good practice advice is also provided in Appendix 1 of this letter.
- We advise that any tree planting should meet the following:
  - o Trees should be healthy and good practice biosecurity should be followed to prevent the risk of spreading pests and disease, in line with Government advice: <https://www.gov.uk/government/collections/tree-pests-and-diseases>. More information on the plant healthy can be found at: Welcome to Plant Healthy - Plant Healthy
  - o Created or restored habitat should be managed in perpetuity in line with a robust management plan that follows good practice to ensure assumed benefits of created habitats are delivered in practice (see Standing Advice referred to on page 1). We recommend meeting the UK Forestry Standard to demonstrate this.
- To help mitigate climate and support local economy would urge council to develop local plan policy that makes use of locally sourced timber. This has multiple benefits as it can help store carbon within development, reduce impact from transportation, reduce embodied carbon from alternative materials and support local economies and communities.
- Where developments incorporate District Heating, consider locally and sustainably sourced wood-fuels for the benefits this can have for renewable energy and towards a local, circular economy
- Use tree planting as part of nature based solutions for managing flood risk as well as other multi-functional benefits from green infrastructure as part of any development (e.g. Trees and woodlands provide £400 million of value in flood protection)
- We encourage the Council to refine their strategy to trees and woodlands using the recently launched 'Trees and Woodland Strategy Toolkit' available here: <https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/> to design and deliver a local tree strategy to harness the long-term benefits that trees can bring to local communities. The local plan should be developed with tree/woodlands in mind as an integral part, alongside other supplementary strategies for the environment including biodiversity, green infrastructure, nature recovery and climate change.

#### Key guidance regarding trees, woodland and development

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 180(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In considering the impacts of the development on Ancient Woodland, Ancient and Veteran trees, the planning authority should consider direct and indirect impacts resulting from both construction and operational phases.

Please refer to Natural England and Forestry Commission joint Standing Advice for Ancient Woodland and Ancient and Veteran Trees, updated in January 2022. The Standing Advice can be a material consideration for planning decisions, and contains advice and guidance on assessing the effects of development, and how to avoid and mitigate impacts. It also includes an Assessment Guide which can help planners assess the impact of the proposed development on ancient woodland or ancient and veteran trees in line with the NPPF.

Existing trees should be retained wherever possible, and opportunities should be taken to incorporate trees into development. Trees and woodlands provide multiple benefits to society such as storing carbon, regulating temperatures, strengthening flood resilience and reducing noise and air pollution.[1] Paragraph 131 of the NPPF seeks to ensure new streets are tree lined, that opportunities should be taken to incorporate trees elsewhere in developments, and that existing trees are retained wherever possible. Appropriate measures should be in place to secure the long-term maintenance of newly planted trees. The Forestry Commission may be able to give further support in developing appropriate conditions in relation to woodland creation, management or mitigation.

Biodiversity Net Gain (BNG): Paragraph 174(d) of the NPPF sets out that planning (policies and) decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 180(d) encourages development design to integrate opportunities to improve biodiversity, especially where this can secure net gains for biodiversity. A requirement for most development to deliver a minimum of 10% BNG is expected to become mandatory from November 2023. The planning authority should consider the wide range of benefits trees, hedgerows and woodlands provide as part of delivering good practice biodiversity net gain requirements. Losses of irreplaceable or very high distinctiveness habitat cannot adequately be accounted for through BNG.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Forestry Commission Planning Guidance Annex 1.pdf - <https://chichester.oc2.uk/a/t5r>

## Object

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**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

The provision of gypsy/traveler accommodation within this area appears to have been driven by CDC seeking to provide accommodation over what is mandated under PPTs 2015. Accordingly it is not clear whether any provision is required at this site.

**Full text:**

The provision of gypsy/traveler accommodation within this area appears to have been driven by CDC seeking to provide accommodation over what is mandated under PPTs 2015. Accordingly it is not clear whether any provision is required at this site.

**Change suggested by respondent:**

Provision of gypsy/traveler accommodation to be removed from policy A8.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

Under item 11, it is unclear that a single access to/from the site via Shopwyke Road will be adequate for this size of development. Access to the A27 via Longacres Way is already difficult due to the speed differential between the left out junction and the 70mph A27 speed limit and the need to cross over to the far lane to access Chichester. The plans do not specify improvements to Tangmere Road and Drayton Road as alternative routes. No impact of the development at Tangmere on Western Avenue, Longacres Way, Tangmere Road and Drayton Road has been referenced.

**Full text:**

Under item 11, it is unclear that a single access to/from the site via Shopwyke Road will be adequate for this size of development. Access to the A27 via Longacres Way is already difficult due to the speed differential between the left out junction and the 70mph A27 speed limit and the need to cross over to the far lane to access Chichester. The plans do not specify improvements to Tangmere Road and Drayton Road as alternative routes. No impact of the development at Tangmere on Western Avenue, Longacres Way, Tangmere Road and Drayton Road has been referenced.

**Change suggested by respondent:**

Further work is required on the vehicular access to the proposed site to establish the full impact on and measures required to the local roads before the development is approved.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

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**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

Item 12. The existing pedestrian route giving access to Chichester from the Shopwyke development is via the Oving Crossroads. Although a pedestrian cycle footbridge across the A27 at Portfield, the location of the Oving crossroads is likely to be the route taken by residents of this area due to its proximity and ease of access. Accordingly this provision must be maintained irrespective of any A27 highway improvement works and a commitment included within the plan to do so.

**Full text:**

Item 12. The existing pedestrian route giving access to Chichester from the Shopwyke development is via the Oving Crossroads. Although a pedestrian cycle footbridge across the A27 at Portfield, the location of the Oving crossroads is likely to be the route taken by residents of this area due to its proximity and ease of access. Accordingly this provision must be maintained irrespective of any A27 highway improvement works and a commitment included within the plan to do so.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

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**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Mr Allen McDonald [7965]

**Summary:**

Item 11. The policy should make clear that the adjacent New Fields development is an existing neighbour and not an extension of the proposed development area. The proposed development should not require vehicular access through the New Fields development because (a) the road layout is only sufficient for the size of the New Field development and (b) access is still to/from Shopwyke Road.

**Full text:**

Item 11. The policy should make clear that the adjacent New Fields development is an existing neighbour and not an extension of the proposed development area. The proposed development should not require vehicular access through the New Fields development because (a) the road layout is only sufficient for the size of the New Field development and (b) access is still to/from Shopwyke Road.

**Change suggested by respondent:**

A statement added to the policy that ensures that the New Field development will not provide vehicular access to/from the proposed development land.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None



## Object

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**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

**Summary:**

Amend first bullet point to, "Development to include at least 680 dwellings..."

The final bullet point, related to meeting the need for gypsy and traveller pitches should cross-reference draft Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs, which makes specific allowance for off-site provision where this is justified.

**Full text:**

Please refer to the submitted representations document.

**Change suggested by respondent:**

Amend first bullet point to, "Development to include at least 680 dwellings..."

The final bullet point, related to meeting the need for gypsy and traveller pitches should cross-reference draft Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs, which makes specific allowance for off-site provision where this is justified.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/svy>

REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/svp>

## Object

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**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

**Summary:**

Heritage assets

The significance of nearby listed buildings are required to be conserved and enhanced by requirement 4. The requirement to enhance the assets' historic significance goes beyond the policy requirement in the NPPF.

Paragraph 190 states, "Plans should set out a positive strategy for the conservation and enjoyment of the historic environment..." There is no requirement to enhance significance and it is difficult to see how a development on site A8 could achieve this. Requirement 4 should be amended to remove the reference to enhancement.

**Full text:**

Please refer to the submitted representations document.

**Change suggested by respondent:**

Requirement 4 should be amended to remove the reference to enhancement.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/svy>

REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/svp>

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

### Summary:

Landscaping and Ecology

Regarding landscaping and requirement 6, as set out in the main report, the only requirement for the buffer to the SWC is that it is effective. It is unnecessary to use arbitrary terms "substantial" and "significant". These should be removed.

From an ecology perspective, we suggest amendments to site-specific requirements 8 and 10.

### Full text:

Please refer to the submitted representations document.

### Change suggested by respondent:

Remove "substantial" and "significant" from point 6.

Replace "avoids" with "minimises" in point 8.

Make the lighting restriction less onerous.

Amend point 10 to refer to "significant harm" rather than "no adverse effects"

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

### Attachments:

REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/svy>

REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/svp>

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

### Summary:

Transport

Site specific requirement 11 should be re-worded to conform with the requirements of the NPPF more closely, where mitigation can only be required where an impact is identified through transport assessment.

### Full text:

Please refer to the submitted representations document.

### Change suggested by respondent:

Alternative wording for point 11: Provide safe and suitable access points for all users, including a vehicular access from Shopwhyke Road. Should significant impacts on the local highway network be identified through assessment, provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport

Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options;

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

### Attachments:

REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/svy>

REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/svp>

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Obsidian Strategic AC Limited, DC Heaver and Eurequity IC Ltd [7312]

**Agent:** Quod (Miss Jane Drumm) [7894]

**Summary:**

Site specific requirement 16 is open-ended. Suggest alternative wording.

**Full text:**

Please refer to the submitted representations document.

**Change suggested by respondent:**

Suggested alternative wording for point 16:

Where a significant impact is identified requiring mitigation, provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan;

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

REPORT FINAL 170323\_Part2.pdf - <https://chichester.oc2.uk/a/svy>

REPORT FINAL 170323\_Part1.pdf - <https://chichester.oc2.uk/a/svp>

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Mr Tom Broughton [7077]

**Summary:**

This policy is illegal as it infringes section 40 subsection (3a) of the Natural Environment & Rural Communities (NERC) Act 2006; it destroys habitat where a section 41 species, Barbastelle Bat, has been recorded.

It states, 'Buffers may contain appropriate unlit uses such as recreational use'. Recreational use is not suitable in the buffers, which should be left undisturbed to ensure the wildlife in the Strategic Wildlife Corridor (SWC) is unaffected.

It is unsound as it renders the SWC ineffective.

It didn't consult on change to Pagham to Westhampnett SWC as was consulted on in July 2021.

**Full text:**

This policy is illegal as it infringes section 40 subsection (3a) of the Natural Environment & Rural Communities (NERC) Act 2006; it destroys habitat where a section 41 species, Barbastelle Bat, has been recorded.

It states, 'Buffers may contain appropriate unlit uses such as recreational use'. Recreational use is not suitable in the buffers, which should be left undisturbed to ensure the wildlife in the Strategic Wildlife Corridor (SWC) is unaffected.

It is unsound as it renders the SWC ineffective.

It didn't consult on change to Pagham to Westhampnett SWC as was consulted on in July 2021.

**Change suggested by respondent:**

Change site allocation to remove Pagham to Westhampnett Strategic Wildlife Corridor that was consulted on in July 2021.

Remove 'recreational use' from buffers.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:**

Affect of proposed change to Strategic Wildlife Corridor east of Chichester - 1.pdf -

<https://chichester.oc2.uk/a/s74>

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Suez (Sita UK) (Emma Smyth, Senior Planning Manager) [11]

**Summary:**

680 dwellings should be a minimum; suggest amendments to bullet point 11 are needed to comply with CIL regulations and NPPF; wording of bullet point 6 which requires " a substantial and effective buffer with significant planting to the strategic wildlife corridor" and a buffer to the corridor to ensure darkness and minimise disturbance is unclear when read together with Policy NE4.

**Full text:**

This representation is made by SUEZ Recycling & Recovery Southern Ltd (SUEZ), who along with SUEZ Recycling & Recovery UK Ltd forms part of the SUEZ group of companies within the UK. This representation is made in response to the Chichester Local Plan 2021-2039 Proposed Submission consultation.

SUEZ Recycling & Recovery Southern Ltd are the landowner of part of the land subject to the draft strategic site allocation 'Land East of Chichester' identified in draft Policy A8.

**Change suggested by respondent:**

Amend bullet point one to read " at least" 680 dwellings; insert additional wording at the start of the second sentence under bullet 11: " Should significant impacts on the local highway network be identified through assessment"; clarify wording at bullet point 6.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Reg 19 SUEZ Response - 17-03-22.pdf - <https://chichester.oc2.uk/a/sdp>

## Support

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Suez (Sita UK) (Emma Smyth, Senior Planning Manager) [11]

**Summary:**

SUEZ confirm the site is available, suitable and deliverable.

See attachment for more detail.

**Full text:**

This representation is made by SUEZ Recycling & Recovery Southern Ltd (SUEZ), who along with SUEZ Recycling & Recovery UK Ltd forms part of the SUEZ group of companies within the UK. This representation is made in response to the Chichester Local Plan 2021-2039 Proposed Submission consultation.

SUEZ Recycling & Recovery Southern Ltd are the landowner of part of the land subject to the draft strategic site allocation 'Land East of Chichester' identified in draft Policy A8.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Reg 19 SUEZ Response - 17-03-22.pdf - <https://chichester.oc2.uk/a/sdp>

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Sussex Ornithological Society (Mr Mark Mallalieu) [8089]

**Summary:**

We object to the significant reduction in the Strategic Wildlife Corridor (SWC) east of the city. In addition to the wildlife impacts of this reduction that other conservation bodies are likely to highlight, e.g. on bats, we wish to draw attention again to the recent presence of breeding Marsh Harriers on the lake adjacent to the south side of the Policy A8 development, as noted in section 10.30, p.229 of the CDC Regulation 19 Local Plan. Marsh Harrier is a Schedule 1 species, scarce nationally and monitored by the Rare Breeding Birds Panel . Only 1-2 pairs nest annually in West Sussex . We consider that the SWC should therefore be restored to its previous dimensions and that the A8 development proceeds in a manner that will enhance the biodiversity of the lake and its surrounds, including by limiting access to the immediate proximity of the lake (bird hides could be considered to limit disturbance). This will increase the chances of the harriers occupying the site in the future, but is desirable anyway given other biodiversity benefits including for bats. Full protection in line with the CDC vision (p.26 of the Regulation 19 plan) will be an additional important benefit.

**Full text:**

Policy NE4 Strategic Wildlife Corridors (p.50)

We are concerned that the Strategic Wildlife Corridor (SWC) east of the city has been reduced significantly in a manner that has not been justified, undermines the value of the corridor and will lead to harm to biodiversity in the development stage of Policy A8. Such harm can and therefore should be avoided by restoring the larger corridor previously identified. We believe that this would ensure that development complies with NPPF section 180 a). We comment in detail under Policy A8. We also note and support the Regulation 19 plan vision that all SWCs should be fully protected (p.26).

Policy A8 Land East of Chichester (p.231)

We object to the significant reduction in the Strategic Wildlife Corridor (SWC) east of the city. In addition to the wildlife impacts of this reduction that other conservation bodies are likely to highlight, e.g. on bats, we wish to draw attention again to the recent presence of breeding Marsh Harriers on the lake adjacent to the south side of the Policy A8 development, as noted in section 10.30, p.229 of the CDC Regulation 19 Local Plan. Marsh Harrier is a Schedule 1 species, scarce nationally and monitored by the Rare Breeding Birds Panel . Only 1-2 pairs nest annually in West Sussex . We consider that the SWC should therefore be restored to its previous dimensions and that the A8 development proceeds in a manner that will enhance the biodiversity of the lake and its surrounds, including by limiting access to the immediate proximity of the lake (bird hides could be considered to limit disturbance). This will increase the chances of the harriers occupying the site in the future, but is desirable anyway given other biodiversity benefits including for bats. Full protection in line with the CDC vision (p.26 of the Regulation 19 plan) will be an additional important benefit.

**Change suggested by respondent:**

Amend corridor to wider version previously identified (August 2021).

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

We have been given to understand that the Pagham to Westhampnett Strategic Wildlife Corridor (Policy NE4) has been modified and narrowed (presumably to take account of allocation A8 and potentially also A7) at some point between the technical consultation that was run for the wildlife corridors in 2021 and the publication of this pre-submission plan. We would welcome a conversation with your authority to explore whether this is correct.

We note that Requirement 6 of Policy A8 does require buffering of this corridor. However, given that our Regulation 18 advice (in 2019) was that some of the corridors were already rather narrow (particularly to the east of Chichester), thus limiting their value, we are concerned at the possibility that one of these corridors has been further reduced in order to accommodate development.

**Full text:****Summary of advice**

While we have raised some queries and recommended some further modifications to certain policies we do not find the Plan unsound on any grounds relating to our remit.

Natural England has reviewed the Proposed Submission Local Plan and accompanying appendices together with the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA). Our detailed comments on the policies and site allocations are provided as follows:

- Annex 1 - Chapter 2 – Vision and Strategic Objectives
- Annex 2 - Chapter 4 – Climate Change and the Natural Environment
- Annex 3 - Chapter 5 (Housing) and Chapter 6 – (Place-making, Health and Well-being)
- Annex 4 - Chapter 7 (Employment and Economy) and Chapter 8 (Transport and Accessibility)

- Annex 5 - Chapter 10 – Strategic and Area Based Policies

Please note that we have not provided comments on all policies but those which have most influence on environmental issues. Natural England has no comment to make on the policies not covered in this response. Other than confirming that we have referred to it when considering our advice on specific policies and site allocations Natural England has no general comments to make on the SA.

Unfortunately due to unforeseen resourcing issues while we have reviewed the associated HRA we are not in a position to provide detailed comment on it as part of this response. We will rectify this as soon as possible and can confirm that we have seen nothing in it that raises any major concerns.

The Plan has many positive aspects including standalone policies on Green Infrastructure (GI) and wildlife corridors and an incredibly extensive suite of natural environment policies more generally.

We are hugely appreciative of the opportunity that we were given to work with you on shaping key policies post-Regulation 18. However, we believe that the plan needs to go further in its recognition of coastal squeeze as a key issue for the district, should include policy hooks for the forthcoming Local Nature Recovery Strategy (LNRS) and make up to date references to both the Environment Act (2021) and the Environmental Improvement Plan (EIP, 2023). Given how recent the publication of the EIP is we would be happy to discuss with your authority how this could best be achieved but we believe given the wealth of natural capital within Chichester District it is vitally important that this latest iteration of the Local Plan is set in its full policy and legislative context.

We have suggested a significant number of amendments and additions to both policies and supporting text throughout the Plan. In our view these could all be taken forward as minor modifications but if they were all acted upon they would leave the Plan much stronger and more coherent in delivering for the natural environment, one of the three central tenets of genuinely sustainable development as set out in the National Planning Policy Framework (NPPF 2021, paragraph 8c).

See attachment for representations on paragraphs/policies.

**Change suggested by respondent:**

If this is genuinely the case we would like to see the red-line boundary for the allocation site pushed back and the corridor restored to its original extent.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:**

420345 - Chichester Local Plan - Reg 19.pdf - <https://chichester.oc2.uk/a/sp9>

## Object

**Document Element:** Policy A8 Land East of Chichester

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

In relation to Chichester City this location is similar to Shopwhyke and so it is essential to learn from the mistakes of Shopwhyke that has resulted in what has been built so far being dominated and reliant on car access.

2. This policy is good, as was 1. In the Shopwhyke Policy. Unlike for Shopwhyke this policy must be fulfilled for land East of Chichester and provide good access routes to the city centre by sustainable transport 11 and 12

Support most. 11 and 12. 11 needs to change to exclude off site traffic impacts, except for buses, service and delivery vehicles. Change wording as follows

11. Provide safe and suitable access for all users. Provide or fund improved and new walking and cycle routes that are continuous, direct, safe, attractive and comfortable to the city centre, railway station, and other destinations including grade separated crossings of the A27 ready for use before first occupation. Provide vehicular access from Shopwhyke Road.

Note, GTR will object to this development unless a continuous, direct, safe, attractive, comfortable cycle and walking routes are provided between this development and Chichester railway station.

Because walking and cycle routes is required to be provided or funded in 11. The reference can be removed from 12. Which is therefore focused on bus services Provide for new bus routes to Chichester City Centre and Railway Station.

**Full text:**

See attached.

**Change suggested by respondent:**

Change wording as follows

11. Provide safe and suitable access for all users. Provide or fund improved and new walking and cycle routes that are continuous, direct, safe, attractive and comfortable to the city centre, railway station, and other destinations including grade separated crossings of the A27 ready for use before first occupation. Provide vehicular access from Shopwhyke Road.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Westhampnett/North East Chichester, 10.36

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

Why is it only expected to provided access and transport links to the city – IT MUST HAVE IMPROVED ACCESS and TRANSPORT LINKS.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of

“cart before the horse” thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District’s population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council’s record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to ‘Hold the Line’ vs. ‘Managed Retreat’ in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city’s ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called ‘resilient road’ with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the “most crash prone A road” in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.



12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Westhampnett/North East Chichester, 10.39

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Further development at this location is inappropriate for reason of noise, public safety (from existing operations) and the agent of change principle. Living conditions of future residents/occupiers will be unreasonable.

**Full text:**

Further development at this location is inappropriate for reason of noise, public safety (from existing operations) and the agent of change principle. Living conditions of future residents/occupiers will be unreasonable.

**Change suggested by respondent:**

The plan must spell out the reasons why the site is unsuitable for development in greater detail including reference to the unlikely effectiveness of mitigation measures.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A9 Land at Westhampnett/North East Chichester

**Respondent:** Mr Michael Wright [7848]

**Summary:**

The development is already largely built. So, this is not a genuine consultation. The developments have encroached into the Goodwood Buffer and functional flood plain and actual wildlife corridor along the River Lavant. There was a near miss flood event in January 2023. The western development is not near to Westhampnett.

**Full text:**

The development is already largely built. So, this is not a genuine consultation. The developments have encroached into the Goodwood Buffer and functional flood plain and actual wildlife corridor along the River Lavant. There was a near miss flood event in January 2023. The western development is not near to Westhampnett.

**Change suggested by respondent:**

The plans for the Stage 2 of the western development should be reviewed urgently

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy A9 Land at Westhampnett/North East Chichester

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

It is SWT's understanding that permission for development has already been granted for this site.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy A9 Land at Westhampnett/North East Chichester

**Respondent:** South Downs National Park Authority (Clare Tester, Planning Policy Manager) [8124]

**Summary:**

We welcome reference in policy A9 Land at Westhampnett/North East Chichester to provision of green links to the South Downs National Park (criterion 4) and the need for design with special regard to the landscape sensitivity of the site.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

CDC LPR Reg 19 - SDNPA response redacted - <https://chichester.oc2.uk/a/sg4>

## Support

**Document Element:** Policy A9 Land at Westhampnett/North East Chichester

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Noting the need for a master plan and to collaborate]. Reinforce that a master planning process presents an opportunity for the Council, and early consultation/working with key stakeholders, to

- consider traffic associated with the developments using, accessing, and exiting the A27
- consider viable alternatives to the private car and the possible travel routes
- understand future infrastructure requirements
- develop a package of mitigation measures with detailed costing
- utilise Travel Plan monitoring strategies triggered through phased development
- collect appropriate mitigation funding

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or

with the support of the highway authorities?

c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?

d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met

over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the ‘Strategic road network and the delivery of sustainable development’ (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being

considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy A9 Land at Westhampnett/North East Chichester

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Permission has been granted at appeal for further development on land removed from the former strategic allocation. Implementation will exceed Policy A9's housing target.

The site is most unsuitable for housing development. The delivery of the approved housing is far from guaranteed, and should the permission lapse, the new local plan policy is an appropriate way to control future development proposals.

**Full text:**

The policy and supporting text should cross-reference with Policies A16/A17, and paragraphs 10.71- 10.75. Similar cross-reference should be made to MapA9a .

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy A9 Land at Westhampnett/North East Chichester

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

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The delivery of the approved housing is far from guaranteed, and should the permission lapse, the new local plan policy is an appropriate way to control future development proposals.

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**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A9 Land at Westhampnett/North East Chichester

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.



However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively. The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”  
Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue

for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to "predicting and providing" for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would

apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around

Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed



development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific

opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that “includes moving away from transport planning based on predicting future demand to provide capacity (‘predict and provide’) to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including ‘vision and validate,’ ‘decide and provide’ or ‘monitor and manage’). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages.” (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN “Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference.” (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

“Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council’s Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car.”

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much

demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d’être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 "Development and the Strategic Highways Network", applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. Videlicet:

"31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by

accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

## 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use,

focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;

4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.



To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

"9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised."

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered "severe" in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-

effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre.

This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar of reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well

beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, unsurveyed and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ..."

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

" ...

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“ ...  
 12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
 ... ”

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and

unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base is in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“ ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

...”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“ ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

...”

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this

strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

"...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.



We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes “Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes.” (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive “first principles” review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

...”

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

“Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the ‘Five Villages’ area in Arun District; and..”

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the and impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“... ”

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

"...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

..."

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

#### **Attachments:**

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Support

**Document Element:** Policy A9 Land at Westhampnett/North East Chichester

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

There is a small section of Flood Zone 3 on this site. We are supportive of policy requirement 1, that built development must be directed away from the floodplain of the River Lavant. We are also supportive of requirement 7, that flood risk management must be part of the masterplanning for the site.

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 11).

**Full text:**

There is a small section of Flood Zone 3 on this site. We are supportive of policy requirement 1, that built development must be directed away from the floodplain of the River Lavant. We are also supportive of requirement 7, that flood risk management must be part of the masterplanning for the site.

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 11).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy A9 Land at Westhampnett/North East Chichester

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support in principle but changes needed. See additional rep - 5934.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A9 Land at Westhampnett/North East Chichester

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support most. 8 and 9. 8 needs to change to exclude off site traffic impacts, except for buses, service and delivery vehicles. Change wording as follows

8. Provide safe and suitable access for all users. Provide or fund improved and new walking and cycle routes that are continuous, direct, safe, attractive and comfortable to bus stops, local community facilities, city centre, railway station, South Downs National Park and other strategic development east of Chichester city including Tangmere.

9. Facilitate providing reliable frequent bus services to the city centre, railway station and other parts of the city and strategic development locations, including bus only routes, bus lanes and bus priority.

**Full text:**

See attached.

**Change suggested by respondent:**

Change wording as follows

8. Provide safe and suitable access for all users. Provide or fund improved and new walking and cycle routes that are continuous, direct, safe, attractive and comfortable to bus stops, local community facilities, city centre, railway station, South Downs National Park and other strategic development east of Chichester city including Tangmere.

9. Facilitate providing reliable frequent bus services to the city centre, railway station and other parts of the city and strategic development locations, including bus only routes, bus lanes and bus priority.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A10 Land at Maudlin Farm

**Respondent:** Westhampnett Parish Council (Ms Beccy Anderson, Parish Clerk) [1055]

**Summary:**

Westhampnett Parish Council would like to point out that the current local plan was adopted in July 2015, and under Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 various bodies and stakeholders were notified in June 2017 that the council was preparing a plan, and invited to comment about what that plan ought to contain: consultation on the preferred approach closed in February 2019.

Since that time, there has been a marked shift in local authority obligations on housing requirements; feedback received on the Regulation 18 consultation is outdated, and we would question whether the plan is procedurally sound; there is a need to return to the Regulation 18 stage.

On that basis, we have the right to make representation in person to the individual appointed as the planning inspector

**Full text:**

Westhampnett Parish Council would like to point out that the current local plan was adopted in July 2015, and under Regulation 18 of the Town and Country Planning (Local Planning) Regulations 2012 various bodies and stakeholders were notified in June 2017 that the council was preparing a plan, and invited to comment about what that plan ought to contain: consultation on the preferred approach closed in February 2019.

Since that time, there has been a marked shift in local authority obligations on housing requirements; feedback received on the Regulation 18 consultation is outdated, and we would question whether the plan is procedurally sound; there is a need to return to the Regulation 18 stage.

On that basis, we have the right to make representation in person to the individual appointed as the planning inspector.

**Change suggested by respondent:**

Plan for a range of new housing that meets the needs of local people, that does not overburden any one place, including taking into account changing requirements at different stages of life, affordable housing and specialist accommodation; helping young people and families to stay in the area; Plan to provide local infrastructure to support new development before approving such, and seek opportunities to address existing infrastructure problems, such as those relating to the A27 and wastewater treatment

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy A10 Land at Maudlin Farm

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Policy A10 Land at Maudlin Farm Supported. The Estate welcomes criterion 10 and will offer to work with the developer to ensure noise mitigation measures are appropriate.

**Full text:**

Policy A10 Land at Maudlin Farm Supported. The Estate welcomes criterion 10 and will offer to work with the developer to ensure noise mitigation measures are appropriate.

Map 10.6 A small strip of land fronting Dairy Lane and to the west of the site boundary is excluded from the allocation. The land is owned by the Goodwood Estate. The land could be used as an extension to the Maudlin Farm allocation or treated as a windfall site.

**Change suggested by respondent:**

Map 10.6 A small strip of land fronting Dairy Lane and to the west of the site boundary is excluded from the allocation. The land is owned by the Goodwood Estate. The land could be used as an extension to the Maudlin Farm allocation or treated as a windfall site.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Policy A10 Land at Maudlin Farm

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Policy A10 Land at Maudlin Farm Supported.

**Full text:**

Policy A10 Land at Maudlin Farm Supported. The Estate welcomes criterion 10 and will offer to work with the developer to ensure noise mitigation measures are appropriate.

Map 10.6 A small strip of land fronting Dairy Lane and to the west of the site boundary is excluded from the allocation. The land is owned by the Goodwood Estate. The land could be used as an extension to the Maudlin Farm allocation or treated as a windfall site.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A10 Land at Maudlin Farm

**Respondent:** Southern Water (Ms C Mayall) [1306]

**Summary:**

This allocation does not include provision for foul drainage. Our assessment of the site and corresponding representations relating to the outcome of the assessment are attached.

**Full text:**

This allocation does not include provision for foul drainage. Our assessment of the site and corresponding representations relating to the outcome of the assessment are attached.

**Change suggested by respondent:**

The addition of a further criterion is needed to state as follows;

'Occupation of development will be phased to align with the delivery of infrastructure for adequate wastewater conveyance (meeting strict environmental standards).'

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:**

230317 A10.docx - <https://chichester.oc2.uk/a/s5p>

## Object

**Document Element:** Policy A10 Land at Maudlin Farm

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

This policy lacks reference to appropriate phasing for wastewater infrastructure. This should be added as per other site allocation policies.

We are supportive of policy requirement 11 regarding appropriate investigation and remediation of the former landfill site. Remediation measures must have regard to any risks to groundwater quality.

**Full text:**

This policy lacks reference to appropriate phasing for wastewater infrastructure. This should be added as per other site allocation policies.

We are supportive of policy requirement 11 regarding appropriate investigation and remediation of the former landfill site. Remediation measures must have regard to any risks to groundwater quality.

**Change suggested by respondent:**

This policy lacks reference to appropriate phasing for wastewater infrastructure. This should be added as per other site allocation policies.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy A10 Land at Maudlin Farm

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

Rolls-Royce Motor Cars (R-RMC) acknowledges the proposed allocation of land bounded by Old Arundel Road and the A27 Westhampnett Bypass for the delivery of 265 homes. The site is located just south of the existing and proposed expanded R-RMC Goodwood site, which indicates that there may be interrelationships between the two sites as they come forward for development. R-RMC is committed to working with the Council to ensure that any cumulative impact is assessed appropriately, and any required mitigation reasonably and proportionately shared, reflecting any such cumulative impact.

**Full text:**

Rolls-Royce Motor Cars (R-RMC) acknowledges the proposed allocation of land bounded by Old Arundel Road and the A27 Westhampnett Bypass for the delivery of 265 homes. The site is located just south of the existing and proposed expanded R-RMC Goodwood site, which indicates that there may be interrelationships between the two sites as they come forward for development. R-RMC is committed to working with the Council to ensure that any cumulative impact is assessed appropriately, and any required mitigation reasonably and proportionately shared, reflecting any such cumulative impact.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Object

**Document Element:** Policy A10 Land at Maudlin Farm

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

We note that this allocation policy seeks to ensure impacts to biodiversity are avoided and that net gains for biodiversity are achieved, in line with section 174 of the NPPF. We note that again this policy doesn't specify a minimum for Biodiversity Net Gain. We question whether the policies should be more specific, as we have seen in other Local Authority Plans. For example, the Environment Act will make a minimum of 10% Biodiversity Net Gain mandatory by November 2023, and as such this should be made clear in the policy. Alternatively, if CDC is seeking to be more ambitious by setting a minimum of 20% BNG for major development, as seen in the Adopted Worthing Local Plan, this could be specified.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy A10 Land at Maudlin Farm

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Noting the need for a master plan and to collaborate]. Reinforce that a master planning process presents an opportunity for the Council, and early consultation/working with key stakeholders, to

- consider traffic associated with the developments using, accessing, and exiting the A27
- consider viable alternatives to the private car and the possible travel routes
- understand future infrastructure requirements
- develop a package of mitigation measures with detailed costing
- utilise Travel Plan monitoring strategies triggered through phased development
- collect appropriate mitigation funding

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation

and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
  - Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
  - Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
  - Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
  - Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan
- It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as
    - o Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
  - The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan

period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.

- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios

- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation.

Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be

translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

#### Attachments:

Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy A10 Land at Maudlin Farm

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

No development should be permitted whereby it impacts the visual amenity or changes the landscape between South Downs and the Chichester Harbour AONB.

#### Full text:

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:**Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>**Object****Document Element:** Policy A10 Land at Maudlin Farm**Respondent:** Stagecoach South (Rob Vince) [8141]**Summary:**

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun

District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.

- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.



We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a "first principles" review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

"Effective and ongoing collaboration" on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and "highways improvements" that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that "Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned." (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that "relevant bodies" are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 "Preferred Approach" consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable "new normal" post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively. The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and

2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

### 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
  - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
  - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
  - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...
- ...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”  
Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support

strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and "East of Chichester" (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary "The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks". This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times.

E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highway improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices.

This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth

- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public



transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide has "run out of road" no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is

to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this.

Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a): "Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this

anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point: "1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

#### 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to "roll forward" this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though

movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d'être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 "Development and the Strategic Highways Network", applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

"31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate

Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District’s identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan’s own Strategic Objectives can be met.

#### 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous “predict and provide” solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

“Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all

the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

“d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities”;

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site”

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective “tick box” exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

## 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.



As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”.

This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by

sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council’s aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

“...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and...”

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council’s wider aspirations for the “Southern Gateway”, and this has governed our approach to the Council to date. We continue to have no “in principle” objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider

national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

" ...

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

" ...

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting

housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“  
 ...  
 12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;  
 ...”

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from

additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base is in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“ ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

...”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“ ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

...”

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

"...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes “Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes.” (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive “first principles” review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

...”

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development



Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to dampen car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to

take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

- “...  
8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;
9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

Policy A10 should accordingly be modified to read:

- “...  
5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include high quality pedestrian, cycling and public transport routes;  
...”

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

#### Attachments:

Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Object

**Document Element:** Policy A10 Land at Maudlin Farm

**Respondent:** Teren Project Management Ltd [8174]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

### Summary:

Request minor amendments be made to allow for level of flexibility so that future development can be aligned with local needs at time of development.

Recognise that specialist accommodation for the elderly is important given the ageing population, flexibility should be included to ensure provision is akin to local need.

Clear that gypsy and traveller plots currently available in other areas of District have not been taken up by Council for allocation (HBI0028). Clear absence of information regarding requirements for pitch provision in localities and site specific needs required to be met. No evidence in respect of engagement with gypsy traveller community in respect of desire to be located on suburban residential sites. Difficult to design suitable means of access within residential housing estate, no consideration given to how this can be accommodated within such a site. Not appropriate to include gypsy and traveller site provision until further evidence provided on suitability of approach, need in this specific location and suitability as part of housing allocation of this scale, with single point of access. Object to inclusion of allocation for 3 gypsy and traveller plots.

Criterion 5 - Secondary vehicular access unsuitable, although a pedestrian access would connect into existing footpath network to the west.

### Full text:

See attached representation.

### Change suggested by respondent:

Allocation references 13.4 hectares but the land available comprises 14.7ha, as detailed in attachment. request wording at 2nd bullet point be amended to read as follows; 'Specialist accommodation for older persons, to include a component of care or support, of a form which is appropriate to an evidenced need of the local area.'

Criterion 5 - Request that requirement for secondary access be removed. Whilst vehicular access would not be suitable, a pedestrian access would be and would connect into existing footpath network to the west.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Not specified

### Attachments:

Written representation letter - <https://chichester.oc2.uk/a/sn7>

Vision Document - <https://chichester.oc2.uk/a/sn8>

## Support

**Document Element:** Policy A10 Land at Maudlin Farm

**Respondent:** Teren Project Management Ltd [8174]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

### Summary:

Support allocation of Land at Maudlin Farm for residential development. The technical work and accompanying Vision Document demonstrate that the site is capable of delivering circa 265 dwellings during the course of the plan period.

### Full text:

See attached representation.

### Change suggested by respondent:

-

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Not specified

### Attachments:

Written representation letter - <https://chichester.oc2.uk/a/sn7>

Vision Document - <https://chichester.oc2.uk/a/sn8>

## Object

**Document Element:** Policy A10 Land at Maudlin Farm

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Developing this land should be a low priority to be progressed after land that has easier sustainable access.

When developed

5. remove reference to off site highway improvements except for bus services, goods and service vehicles.

6. Provide safe and suitable access for all users. Provide or fund improved and new walking and cycle routes that are continuous, direct, safe, attractive and comfortable to bus stops, local community facilities, city centre and railway station

**Full text:**

See attached.

**Change suggested by respondent:**

5. remove reference to off site highway improvements except for bus services, goods and service vehicles.

6. Provide safe and suitable access for all users. Provide or fund improved and new walking and cycle routes that are continuous, direct, safe, attractive and comfortable to bus stops, local community facilities, city centre and railway station

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Bosham, 10.42

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

It is questionable if the bus and rail links could be described as good. There is a bus every half hour until early evening when it switches to one bus an hour to Chichester on the 700 route.

There is one train per hour in each direction which actually stops at Bosham Station.

The primary school is at capacity with no space for expansion. The GP surgery is only open part-time and again, is working at capacity.

The village currently has only one small shop.

We currently have 4 community halls within walking distance but another is being proposed here.

**Full text:**

It is questionable if the bus and rail links could be described as good. There is a bus every half hour until early evening when it switches to one bus an hour to Chichester on the 700 route.

There is one train per hour in each direction which actually stops at Bosham Station.

The primary school is at capacity with no space for expansion. The GP surgery is only open part-time and again, is working at capacity.

The village currently has only one small shop.

We currently have 4 community halls within walking distance but another is being proposed here.

**Change suggested by respondent:**

Policy A11 needs to be removed from the plan as the village is not capable of accommodating further growth because there is nothing sustainable about this. An additional 300 houses is neither wanted by local residents nor is it providing anything to enhance the village. There were hundreds of objections when planning permission for this site was proposed and it is the site which was the least favoured for development in the neighbourhood plan, which has been completely ignored.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object**

**Document Element:** Bosham, 10.43

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

This site is outside of the Bosham settlement boundary and is farmland. It was deemed the least suitable place for development and there are hundreds of local objections to developing this site. 245 houses is a massive increase in the size of the village with very few extra facilities provided for this scale of development. The site has only one entrance and exit by road onto the A259 and this will result in an increase in air pollution as vehicles queue to get into and out of the development at peak times.

**Full text:**

This site is outside of the Bosham settlement boundary and is farmland. It was deemed the least suitable place for development and there are hundreds of local objections to developing this site. 245 houses is a massive increase in the size of the village with very few extra facilities provided for this scale of development. The site has only one entrance and exit by road onto the A259 and this will result in an increase in air pollution as vehicles queue to get into and out of the development at peak times.

**Change suggested by respondent:**

Policy A11 needs to be removed from the plan. 245 houses were not in the neighbourhood plan. There were 50 proposed houses in the neighbourhood plan and planning permission was granted. This permission then expired because the developer land banked the permission in order to try and push further development through using the titled balance argument.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object**

**Document Element:** Bosham, 10.43

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

Allocating an additional 245 houses to Highgrove is at odds with the Village Plan. It coalesces unnecessarily East-West, it isn't the lowest grade soil, it doesn't respect residents' wishes as consulted in the Neighbourhood Plan. It incorrectly draws on erroneous HELAA data.

**Full text:**

Allocating an additional 245 houses to Highgrove is at odds with the Village Plan. It coalesces unnecessarily East-West, it isn't the lowest grade soil, it doesn't respect residents' wishes as consulted in the Neighbourhood Plan. It incorrectly draws on erroneous HELAA data.

**Change suggested by respondent:**

220 additional houses should be allocated to Highgrove with 25 allocated to HBO0003. This allows greater biodiversity gain on both sites, it reduces pressure on a singular access point on the A259, reduces the impact of Highgrove on the AONB and SDNP, it is better supported by local residents, it would allow re-investment in the local area creating a more resilient Rural community, rather than just going to shareholders.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** HBO0003 25units.jpg - <https://chichester.oc2.uk/a/scg>

**Object**

**Document Element:** Bosham, 10.44

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

The site is wholly outside the settlement boundary and is therefore defined as 'countryside'. This brings the site's inclusion into conflict with the plan (points 4.50 and 4.52) which suggests that building outside settlement boundaries will be 'limited'.

There is brownfield land within the settlement boundary at Burns Shipyard which could be developed to build more houses than the three multi-million pound houses currently proposed and awaiting a planning decision.

The inclusion of this site will have a detrimental impact on the A259 and on congestion at the already well-over-capacity A27 Fishbourne Roundabout.

**Full text:**

The site is wholly outside the settlement boundary and is therefore defined as 'countryside'. This brings the site's inclusion into conflict with the plan (points 4.50 and 4.52) which suggests that building outside settlement boundaries will be 'limited'.

There is brownfield land within the settlement boundary at Burns Shipyard which could be developed to build more houses than the three multi-million pound houses currently proposed and awaiting a planning decision.

The inclusion of this site will have a detrimental impact on the A259 and on congestion at the already well-over-capacity A27 Fishbourne Roundabout.

**Change suggested by respondent:**

Policy A11 needs to be removed from the plan. The plan cannot be considered sound if the site inclusion is in conflict with the plan. This site inclusion completely contradicts what is proposed in Policy NE10. The statement suggests that to the east of the site are farm buildings and open countryside but there is no open countryside visible from this side of the A259 as the Ham Farm and Langmead site is shielded by high hedging and the farmland views are lost. The site at Highgrove is the only open farmland with views over the downs between the settlements of Bosham and Fishbourne.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Bosham, 10.44

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

The allocation does not give due weight to the setting of the AONB and SDNP. The permanent loss of views from one to the other cannot be mitigated against and is a permanent loss to the local community and nation as a whole. If housing is allocated to this site it should be the minimum possible.

**Full text:**

The allocation does not give due weight to the setting of the AONB and SDNP. The permanent loss of views from one to the other cannot be mitigated against and is a permanent loss to the local community and nation as a whole. If housing is allocated to this site it should be the minimum possible.

**Change suggested by respondent:**

Reduce allocation to 220 (plus existing 50) to allow greater visual corridors and tree planting.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Bosham, 10.45

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

This paragraph makes no reference to protecting the existing settlement at Broadbridge from flooding. The flood risk data is not conclusive that the site will not flood and the assessment is arguably out of date with many of the tests carried out in 2014 and groundwater tests carried out in 2016/2017. The site is prone to flooding at the western boundary which adjoins Brooks Lane. Brooks Lane is already prone to flooding.

**Full text:**

This paragraph makes no reference to protecting the existing settlement at Broadbridge from flooding. The flood risk data is not conclusive that the site will not flood and the assessment is arguably out of date with many of the tests carried out in 2014 and groundwater tests carried out in 2016/2017. The site is prone to flooding at the western boundary which adjoins Brooks Lane. Brooks Lane is already prone to flooding.

**Change suggested by respondent:**

Policy A11 should be removed from the plan as the NPPF makes it clear that when determining any planning application, local planning authorities should ensure flood risk is not increased elsewhere.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Bosham, 10.45

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

These 'specific issues' are exactly why the allocation should be split, between this site and HBO0003 allowing for lower density and more mitigation measures.

**Full text:**

These 'specific issues' are exactly why the allocation should be split, between this site and HBO0003 allowing for lower density and more mitigation measures.

**Change suggested by respondent:**

These 'specific issues' are exactly why the allocation should be split, between this site and HBO0003 allowing for lower density and more mitigation measures.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Bosham, 10.45

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

These 'specific issues' are exactly why the allocation should be split, between this site and HBO0003 allowing for lower density and more mitigation measures.

**Full text:**

These 'specific issues' are exactly why the allocation should be split, between this site and HBO0003 allowing for lower density and more mitigation measures.

**Change suggested by respondent:**

These 'specific issues' are exactly why the allocation should be split, between this site and HBO0003 allowing for lower density and more mitigation measures.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Mrs Donna-Maria Thomas [7822]

**Summary:**

Chichester District Council is aware that Southern Water has said they do not have the capacity to accommodate the new homes in policy A11. The Southern Water data for overflows from the Bosham outflow pipe shows that in the three months between November 2022 and January 2023, there were 45.65 days (1095.62 hours) of constant sewage overflow discharge. This is a 675% increase in the same period the previous year.

There are no plans to upgrade the wastewater infrastructure mentioned in the local plan, although it has been identified as an issue.

**Full text:**

Chichester District Council is aware that Southern Water has said they do not have the capacity to accommodate the new homes in policy A11. The Southern Water data for overflows from the Bosham outflow pipe shows that in the three months between November 2022 and January 2023, there were 45.65 days (1095.62 hours) of constant sewage overflow discharge. This is a 675% increase in the same period the previous year.

There are no plans to upgrade the wastewater infrastructure mentioned in the local plan, although it has been identified as an issue.

**Change suggested by respondent:**

The proposed housing at policy A11 should not be built until there has been an upgrade in the sewage infrastructure so that the outflows to the harbour cease.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** CHP Newsletter Jan 2023 final[22383].pdf - <https://chichester.oc2.uk/a/qv>

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Mrs Donna-Maria Thomas [7822]

**Summary:**

The primary school is full with no space to expand. Children from this development will have to go a long way out of the village for school provision. This will exacerbate the congestion on the roads and pollution as schools chosen for this development are not within walking distance and do not have good public transport links.

This contradicts the aims of the plan regarding reducing reliance on cars.

**Full text:**

The proposed allocation of the site in policy A11 does not correlate with the plan for sustainable transport due to there being no primary school allocation on the site.

The proposed local plan on page 40 states:

"3.35. The settlement hierarchy has been defined in relation to the presence of certain services and facilities. The list of services and facilities considered included:

Convenience stores;  
Primary schools... "

There is no primary school proposed on the site and the village site is at capacity without the land to expand. The local primary schools in the area are all at capacity. The schools West Sussex County Council have identified for the proposed development are in the Bourne area. These include:

Compton and Up Marden (10.9 miles)  
Funtington Primary (3 miles)  
Thorney Island (5.6 miles)  
Westbourne (6.6 miles)  
Southbourne (3.9 miles)  
Chidham (2.4 miles)

Only Bosham and Chidham Primary are within walking distance and neither Bosham nor Chidham currently have spaces or space to expand.

The other schools proposed are too far away to walk and are mostly rural with poor public transport links. This will likely mean reliance on private cars to transport children to school. This contradicts the proposed aims of the local plan on page 200 which states:

"8.8. Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support three key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Mitigating the impacts of travel by car."

Residents have expressed concern about congestion the development is likely to cause based on 300 additional cars being used to transport children to school and this is acknowledged in the plan. The proposed plan on page 199 states:

"8.3. Road congestion is a major concern for residents and businesses in the plan area; in particular, congestion around the junctions of the A27 Chichester by-pass which in turn, leads to congestion on the local road network as drivers seek alternative routes, increasing traffic speed and flow on those alternative routes."

This proposed development without a primary school is not avoiding or reducing the need to travel by car and will increase reliance on private cars and exacerbate congestion and nor can this choice of schools for the proposed site be argued to enable access to sustainable means of travel, including public transport, walking or cycling as the schools proposed are mainly in rural areas without public transport links and too far to make walking or cycling viable alternatives.

The development proposed in policy A11 appears to be inconsistent with the NPPF which states:

"It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and  
work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted."

Planning a development of the size proposed in policy A11 whilst knowing that there is no capacity because of the land constraint to expand the schools within walking distance, means that children will have to travel far out of the village for education provision. This is a key issue which does not appear to have been resolved before the application was submitted.

**Change suggested by respondent:**

There were hundreds of objections to this development.  
The site is not suitable.  
The site should be removed from the housing allocation.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None



## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Mrs Donna-Maria Thomas [7822]

**Summary:**

With regard to policy A11

There is insufficient wastewater treatment capacity to accommodate the additional wastewater which will be generated, particularly housing along the east-west corridor including dwellings proposed.

There is no plan in place to offset the nitrates for the development.

There is no capacity within the strategic road network to accommodate the development of the east-west corridor and A11.

The site proposed at policy A11 is unsuitable as it is at risk of flooding and appropriate flood risk assessments have not been undertaken.

The whole allocation of housing in Policy A11 is outside of the Bosham settlement boundary.

**Full text:**

With regard to policy A11

There is insufficient wastewater treatment capacity to accommodate the additional wastewater which will be generated, particularly housing along the east-west corridor including dwellings proposed.

There is no plan in place to offset the nitrates for the development.

There is no capacity within the strategic road network to accommodate the development of the east-west corridor and A11.

The site proposed at policy A11 is unsuitable as it is at risk of flooding and appropriate flood risk assessments have not been undertaken.

The whole allocation of housing in Policy A11 is outside of the Bosham settlement boundary.

**Change suggested by respondent:**

Policy A11 needs to be removed from the plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Challenges to the Local Plan.pdf - <https://chichester.oc2.uk/a/qb>

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Mrs Donna-Maria Thomas [7822]

**Summary:**

Objection against A11 on grounds of nitrate neutrality; wastewater pollution and treatment; risk of flooding; lack of infrastructure, upgrades to road network; loss of agricultural/greenfield land, biodiversity implications; air pollution; coalescence; inappropriate community facilities proposed; scale of development. See full submission and attachments.

**Full text:**

I am emailing as a member of the public who has been invited to make comments on the proposed new Chichester District Council Local Plan.

Firstly, I have been invited to comment on whether the plan is legally compliant. With this in mind, I would question whether it is. I am aware that there is legislation which is designed to protect Chichester Harbour, namely, I believe, the Chichester Harbour Conservancy Act 1971. This legislation gives the Harbour Conservancy a duty to conserve, maintain and improve the harbour. In the proposed local plan it states:

"4.120. In February 2018 the Chichester Harbour designated Site of Special Scientific Interest (SSSI) was downgraded from 'Unfavourable – recovering' to 'Unfavourable – no change'. Further assessment during 2019/20 found that more than 3000ha of the intertidal parts of Chichester Harbour were now 'Unfavourable – declining'. A specific policy is therefore required to address this issue. Nitrates finding their way into the Harbour (from a variety of sources) cause algal growth which is harmful to wildlife. Although the proportion of total nitrogen originating from new development is very small, it is important that this source is addressed whilst other measures, such as catchment management, are undertaken to reduce other inputs and recover wildlife."

Concerning nitrate mitigation, I note that the South Downs National Park Authority (SDNPA) are not able to guarantee any further land to offset nitrates and this will impact the number of houses which can be built in the area. The SDNPA has made this clear in the letter they have submitted in consultation regarding Policy A11

(attached). There are, I believe, several proposed sites in the local plan which will need to be able to show they have nutrient neutrality and at present, they cannot do this. With this in mind, I suggest that it would be wrong to

propose the site referred to in Policy A11 and any other sites where this matter applies.

In addition to the issue of nitrates, there is also the issue of water pollution which is blighting the harbour. Building over 10,000 new houses in the district is going to exacerbate both nitrate and wastewater pollution. A study by Chichester Clean Harbours Partnership (attached) shows that at five sites which were tested within Chichester Harbour, all failed tests for E.coli and Feral Streptococci levels which suggests water quality in the harbour is being impacted by the constant outflows of sewage which are happening across the thirteen outlets which Southern Water control and discharge directly into the harbour. Last year's data shows that Southern Water spent over 19% of the year releasing untreated sewage into the Chichester Harbour waters. This is evidence that Southern Water is either unable or unwilling to cope with treating the wastewater generated by the housing in the district so to propose 10,000 further houses with no guaranteed upgrades to the wastewater treatment seems ludicrous and a dereliction of the statutory legislation designed to protect the harbour. For these reasons I would question whether the plan can be judged as legally compliant.

The second area I have been invited to consider is whether the proposed plan is 'sound'. To this, I would suggest that there are so many contradictions between what the plan proposes and what is found in the National Planning Policy Framework (NPPF), other consultation documentation and the plan itself that I believe the plan cannot be found to be sound. As an example two examples referred to above:

Allowing building to go ahead on land without being able to guarantee nitrate offset brings the plan into conflict with itself. (Policies NE12, NE13, NE19)

To allow building to go ahead which is guaranteed to increase sewage outflow into the harbour brings the plan into conflict with itself. (Policies NE12, NE13, NE16, NE17)

The focus of most of the plan seems to be on providing housing. However, the NPPF makes it clear that house building needs to be sustainable and include infrastructure in order to meet the economic objective and that there is an environmental objective to be considered both of which I do not believe this plan is meeting.

The proposed local plan does not include any guaranteed upgrades to the strategic road network but does refer to the fact that the congestion on the roads is a major concern for the residents of the Chichester District. (Proposed Local Plan Point 8.3) I am aware that the strategic road network is an issue outside of the Council's control but again, to propose adding 10,000 plus housing to the area when they are aware of the serious congestion problem seems nonsensical, especially now in the light of the government removing mandatory house building targets.

The main issue the Chichester District seems to have is that within the boundary, there is a large percentage of land which is protected from development as SDNP and AONB land. What this plan seems to be doing is trying to cram 90% of the original government-proposed allocation of housing into 23% of the land in the district. It stands to

reason that this will have a detrimental impact on the road network. In addition, Chichester District Council are

aware that the major junctions on the A27 have been operating at capacity since the last local plan was written and in their transport assessment

published in January 2023, they have made reference to the major junctions now all operating well over capacity (CDC Local Plan Transport Assessment 2039 Point 11.2.1) and have made reference to the fact that there has been no mitigation which was proposed in the previous local plan to most of the junctions (CDC Local Plan Transport Assessment 2039 Point 1.3.2). Therefore building more housing without guaranteed upgrades to the road network would seem both unfair to the residents and businesses who are already suffering the daily challenge of congestion and unethical in the light of the plan which contains several policies referring to minimising the climate crisis, reducing pollution and only allowing development which does not exacerbate congestion and road use. Once again this brings the plan into conflict with itself because the additional congestion is going to impact both pollution in general and air pollution specifically (Policies NE20, NE22)

The NPPF suggests that there is a presumption in favour of sustainable development but I would argue that trying to fit too many houses into a small, already over-congested area, is not sustainable and does nothing to enhance the lives of people who already live in the area. Of the three objectives in the NPPF (economic, social and environmental) this plan only seems to address the social objective of providing more housing. It does not address the economic objective because of the strain building 10,000 further houses will create on already weak infrastructure. More importantly, it does nothing to address the environmental objective because it will increase pollution and exacerbate problems with the sewage network and the road network which already exist.

In conclusion, with reference to whether the plan is sound, I do not believe it can be judged as sound because, aside from contradicting itself and not fulfilling the objectives outlined in the NPPF as I have highlighted above, the plan is not taking into account local people's wishes. There have been several action groups set up and demonstrations against further building in the area on the large-scale proposed here. Neighbourhood Plans have been completely disregarded and people in the area have genuine concerns about the impact of pollution on the harbour, the relentless building with no additional infrastructure and the detrimental impact of building on farmland and the implications for biodiversity and agricultural security as well as coalescence of our villages and strain on already overburdened resources such as doctors, schools and village shops.

I can speak concerning Policy A11 because this directly affects where I live but I will also try to highlight below other policies where I know the proposed sites conflict with what is in the neighbourhood plan and conflict with statements in the local plan.

Our neighbourhood plan has been ignored and the site proposed was the site deemed least suitable for development and conflicts with the statements in the local plan in the following ways:

- 1) The site is greenfield land and there is brownfield land available capable of being used for smaller-scale development (Burns Shipyard). This would appear to be the case with most of the proposed sites being greenfield land. (Policies A6, A10, A11, A12 A13 and A14). The NPPF states that where possible preference should be given to using brownfield land for development before allowing development on Greenfield or agricultural land.
- 2) The site is wholly outside of the Bosham settlement boundary which in the plan would define this as the countryside. The local plan states in Chapter 3, that development in the countryside should be 'restricted' to what is essential and meets the proposed needs as defined by policy NE10. The site chosen does not meet the criteria set in policy NE10 and proposing the site, therefore, puts it into contradiction with the plan.
- 3) The site proposed for Policy A11 is grade 1 and 2 productive agricultural land. The local plan states that it will seek to protect the best and most versatile agricultural land from large-scale, inappropriate or unsustainable non-agricultural development proposals that are not in accordance with the Development Plan. (Local Plan Point 4.8) However for the sites A1, A12 and A14 this does not seem to be the case. In the case of some of the land proposed from Policy A14, I believe the land has been compulsorily purchased from farmers. A large majority of the land proposed for development in the local plan is viable and productive agricultural land.
- 4) The site's overflow wastewater discharges from the Bosham outlet into the Bosham channel. This outlet has been the most compromised in 2022 and has discharged for the largest amount of hours out of all 13 outlets that discharge into Chichester Harbour.
- 5) The site proposed for Policy A11 has no proposed primary school provision. The local village school is at capacity and is unable to be expanded on its current site because there is no land available. Instead, the children from this proposed development will be expected to go to school outside of the village and this will inevitably lead to more cars on the roads as the proposed schools with places are not accessible by public transport or within walking/cycling distance. Again, this is a theme common to Policy A12.
- 6) The site proposed in Policy A11 suggests that the land is likely to suffer from groundwater and surface runoff flooding. The likelihood of flooding is greatest along the western boundary of the site which abuts the existing development of Brooks Lane. Brooks Lane already suffers periods of flooding. The NPPF says that new development should not increase the likelihood of flooding at existing developments.
- 7) The vehicle access to the A259 is via one vehicle access point only, which is likely to exacerbate air pollution at peak times with cars idling to access the A259.
- 8) The proposed additions to the village will be a fourth community hall, which there is no desire or need for and no end-user has been identified to maintain, allotments which were specifically proposed at the initial consultation and rejected as the least popular choice of an additional community facility and a mini football pitch which has been hastily added and squeezed onto the site of inadequate size and with inadequate parking provision to make it a usable asset.

For all of these reasons, I believe that the proposed local plan cannot be judged to be sound. There were several hundred objections to Policy A11 and I believe there would be true for most of the sites proposed. Our local neighbourhood plans have not been taken into account when producing this plan and this is against what is stated in the NPPF which suggests that Neighbourhood Plans give communities the power to develop a shared vision for their area. (NPPF Point 29) The last area I have been invited to consider is if the proposed local plan meets the duty to co-operate. In this respect, I feel that the duty to co-operate seems to have been viewed as more a 'duty to consult' Whilst there has arguably been consultation between appropriate bodies and other local authorities, I do not believe the plan reflects the advice that has been given. Again, coming back to Policy A11 as an example the SDNPA, Chichester Harbour Conservancy, Southern Water and National Highways have all raised reservations about the proposed scale of development and the impact it will have on the Bosham area and local infrastructure. However, the reservations have not been heeded and the proposed development is still much the same as it was at the outset. Again, local plans have been ignored and local voices have not been heard. Whilst I am aware that the duty to co-operate is not a duty to agree, if every aspect of a consultation is ignored, I would argue this can hardly equate to co-operation.

In conclusion, I understand the importance of having a local plan and I understand the constraints that Chichester District Council is under due to the available land infrastructure constraints it faces which are largely outside of its control. However, because of the above, and that they have now been given the freedom to deviate from mandatory government house building targets, I would ask you to pay scrutiny to the number of houses in the proposed plan and recommend to Chichester District Council that they need to go back and rewrite the plan to reduce house building to a sustainable level of 23.5% of the government proposed allocation to reflect the percentage of land which is available in the district for development. I also recommend that there be a moratorium on further development in the district until the issues of water pollution by nitrates and sewage can be addressed and until there are the mitigation measures proposed in the transport assessment to allow for further house building.

#### Change suggested by respondent:

A moratorium on house building until wastewater and A27 road infrastructure upgrades are guaranteed and carried out.  
A reduction in overall house building numbers in the district to reflect the 23.5% of land which is available for development bringing the proposed number of dwellings to 2699.

Legally compliant: No

Sound: No

Comply with duty: No

Attachments: Written representation letter - <https://chichester.oc2.uk/a/s3f>

Supporting Document - SDNPA Letter - <https://chichester.oc2.uk/a/s3g>  
 Supporting Document - CHP Newsletter - <https://chichester.oc2.uk/a/s3h>

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Mr Roger Weymouth [7888]

### Summary:

Object to A11 on grounds of road network; congestion and pollution; wastewater treatment; lack of infrastructure; loss of agricultural/greenfield land - see full submission.

### Full text:

I have read the plan, all of it, and the biggest thought that comes into my mind is that there appears to be very little promised...

What appears to be guaranteed/promised

Ten thousand odd dwellings squeezed into approximately 20% of the available land space.

What is not guaranteed/promised

No new roads or traffic congestion mitigation. The roads around Chichester and the surrounding areas are at capacity already and have been for some time, (Transport assessment Jan 2023) with the exception of the Covid lockdown period. My business involves engineers driving to visit customers in and around this area and a considerable amount of the working day is wasted in traffic congestion. At not an inconsiderable cost. For example, one of my engineers lives in Bognor Regis and what was a 35-minute journey to work - in Bosham - now takes 60 minutes. 60 minutes. More frequent flooding and closures of roads exacerbate this and the new Free school sited on Hunston Road, has compounded the misery. Of course, these delays that everyone experiences only compound the pollution issue as well. This can only get worse with the additional promised housing in the area. Working in and around the area will be chaos.

No new sewage infrastructure is guaranteed for the foreseeable future.

Chichester Harbour and the streets of Bosham are regularly filled with sewage that overflows whenever there is rain. According to Southern Waters' own Beach Boy App data, there are regular non-stop discharges of Sewage into Chichester Harbour. There is nothing in the plan to stop this and Southern Water themselves say that they don't have the capacity to deal with the wastewater at present, let alone with another Ten Thousand houses built in the medium term. All the E.Cioli levels in the Harbour are already above acceptable levels as advised by the Environment Agency. Table enclosed - figures supplied by the Clean Harbour Partnership.

Attached is the document that explains this testing

No doctor surgeries

None planned

No new schools for the majority of these new housing developments

So despite the positive language of the Plan, there are no plans to provide any new schools for that area, except for the Tangmere proposed development. So in the absence of such plans, I have to ask where in the area are. I don't know about the availability of school places around the area except for Bosham and Chidham where there are none.

General observations

There don't appear to be many proposed developments for this housing on Brownfield sites. All the major developments in the area appear to be on Grade 1 and 2 agricultural land. Some of which, i.e. Highgrove Farm, which is outside the settlement boundary, appears against National Planning Policy Guidance and local opinion.

So in conclusion, this Plan appears to be solely a cash-generating exercise by Chichester District Council, with income derived from Section 106/CIL levies and forecasted Council Tax receipts, which gives no apparent regard, or only Lip Service, to the quality of life and areas of natural beauty for the existing residents and proposed new residents. It is not a really well thought out plan, not joined up at all with the needs and requirements of the local and separate Utilities and Government agencies such as Transport.

I am not against new housing generally. I'm sure there is a need for future generations and increased population in the County, But this cannot be allowed without all the other facilities that should come along with new housing. This Plan does not plan for that. If there is no funding available to upgrade these facilities, then I can't see how it is sensible to allow more new housing on this scale.

Yours sincerely Roger Weymouth

Dear all (Sent local councillors, responses removed)

I've looked at some possible "road improvements" notably one just outside Tesco which looks like there will be a possibility of multiway lights and a new junction but removing an existing one coming onto the roundabout from the industrial site. Just makes me wonder how much busier this junction will be if they feel the need to re-do the junction. I cannot see how a traffic light system will improve anything and this strikes me as a case of trying to polish a turd. There will just be too much traffic because of ill-thought-out planning and too many new houses but minus the traffic network improvements required. I also read somewhere that a model or something shows that if there are no improvements to this area, it will result in a 29-minute wait time at the Tesco roundabout for traffic coming from Bosham way at AM and PM peak times. 29 minutes! Are the planners trying to destroy the quality of life around these parts?

I do not hold much hope for real improvements to the road network, if, after any housing gets the go-ahead in this plan. I quote a paragraph from the Chichester District Council Duty to Co-operate Statement (May 2014). Item 3.10 it states " The Highways Agency is confident that the works on the A27 Chichester Bypass required to support development set out in the Local Plan can be delivered.

The Stantec Chichester District Council Local Plan Transport Assessment (Jan 2023) states:

• "The adopted Chichester Local Plan (LP) 2014-2029, included a set of mitigation measures at the 6 principal junctions along the A27 corridor. Although there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

So it seems that all this was promised back then and then shelved and the road network is now pretty much unusable on a daily basis, despite the promises of the Highways Agency. So we have a situation where we all try and bypass the Bypass

I would have thought that any new developments, roadworks etc are meant to be progress, or progressive. Not regressive to the local community and those of us who work in the area.

Perhaps there needs to be a moratorium on all new housing in the district until guaranteed measures are in place to improve the road network. This is not guaranteed in the plan. (Point 8.5)

### Change suggested by respondent:

Take policy A11 out of the plan.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Weymouth attachment CHP Newsletter Jan 2023 final22383 (002).pdf - <https://chichester.oc2.uk/a/ss6>

**Object****Document Element:** Policy A11 Highgrove Farm, Bosham**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]**Summary:**

Objection on grounds of:

- i) inconsistency with NE2 and NE10 due to loss of high-quality agricultural land and prejudice of viable agricultural operations;
- ii) inconsistency with NE2 and NE3 regarding coalescence of Fishbourne and Bosham Settlement Areas and loss of open landscape gap;
- iii) failure to comply with duty to cooperate; non-compliance with Bosham Neighbourhood Plan, and lack of consideration of SDNPA and Chichester Harbour Conservancy advice;
- iv) adverse impact on character of Bosham village;
- v) non-compliance with S2 as proposed development outside settlement boundary;
- vi) inadequacy of strategic wildlife corridors;
- vii) low likelihood of farmland development producing measurable biodiversity net gain; lack of biodiversity plan clarifying how site hedgerows and bird species will be protected;
- viii) non-compliance with NE16 due to insufficient wastewater treatment capacity for housing proposed, and adverse impact on water quality of Chichester Harbour; no guarantee or timetabled plan for upgrades;
- ix) lack of road network capacity (esp. Fishbourne roundabout) and associated impacts on congestion and air quality; no guaranteed major improvements; inadequate sustainable transport links;
- x) lack of primary education capacity; schools inaccessible via walking/public transport;
- xi) significant public and local opposition to proposal;
- xii) inappropriate proposed community facilities (village hall and allotments) and inadequate existing rural amenities (shop, GP surgery);
- xiii) loss of connectivity between SDNP and Chichester Harbour AONB (biodiversity, recreation, landscape);
- xiv) lack of plans or guarantees for nutrient neutrality;
- xv) out-of-date flood risk assessments; untested SuDS proposals

**Full text:**

There are hundreds of objections locally to this site's inclusion. There was permission given for 50 houses which appear to have been land banked by the developer to try and force through planning permission using the tilted balance approach. Now that the government is changing the NPPF to give communities greater input into development in their area, the objections of our 435 members and the objections of the hundreds of other families in our small community, the objections of our parish council and neighbouring parish councils which are in the summary below and attached document should be considered and carry weight.

**Change suggested by respondent:**

Policy A11 needs to be removed from the plan.

There should be a moratorium on development until wastewater treatment can be guaranteed and the mitigation needed for the A27 junctions can be guaranteed.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** No**Attachments:** Bosham Association Representations on Policy A11.pdf - <https://chichester.oc2.uk/a/ss4>**Object****Document Element:** Policy A11 Highgrove Farm, Bosham**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]**Summary:**

CDC commissioned a Landscape Capacity Study to provide evidence where the landscape and visual impacts of development would be greatest, therefore to identify which areas have the greatest capacity to accommodate change without causing significant and detrimental damage to the landscapes within the plan area.

There is no reference or recognition of this in the policy or the proposed allocation of sites especially in the East/West corridor. There is land around Chichester where the landscape and visual impacts would be lower. In landscape and visual terms these sites should be selected before the release of lower capacity sites.

**Full text:**

CDC commissioned a Landscape Capacity Study to provide evidence where the landscape and visual impacts of development would be greatest, therefore to identify which areas have the greatest capacity to accommodate change without causing significant and detrimental damage to the landscapes within the plan area.

There is no reference or recognition of this in the policy or the proposed allocation of sites especially in the East/West corridor. There is land around Chichester where the landscape and visual impacts would be lower. In landscape and visual terms these sites should be selected before the release of lower capacity sites.

**Change suggested by respondent:**

As a result of the conclusions in the Landscape Capacity Study of Sub-area 91 between Bosham and Fishbourne, the proposed allocations should avoid areas of medium / low capacity, which are constrained by its rural character.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

The proposed allocations within the East/West corridor, would not comply with Policy NE13 and would damage the visual relief to the built up areas and the views between the AONB and the SDNP.

**Full text:**

The proposed allocations within the East/West corridor, would not comply with this policy and would damage the visual relief to the built up areas and the views between the AONB and the SDNP.

**Change suggested by respondent:**

Proposed allocations adjacent to the AONB and impacting on its setting, including views into and from the SDNP should be removed.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

This policy is not sound as it does not accord with the following policies:

NPPF para 176,  
NE2, NE3, NE10, NE13, NE16, NE19 & NE20  
P2, I1, T1

**Full text:**

This policy is not sound as it does not accord with the following policies:

NPPF para 176,  
NE2, NE3, NE10, NE13, NE16, NE19 & NE20  
P2, I1, T1

**Change suggested by respondent:**

Removal of the proposed allocation from this site and identify a less sensitive, policy compliant site.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

This is an entirely inappropriate location for this scale of development. It is in direct conflict with many policies on climate change, the environment, use of agricultural land, the AONB and its setting, wildlife habitats, protecting long distance views, open countryside and settlement gaps.

**Full text:**

This is an entirely inappropriate location for this scale of development. It is in direct conflict with many policies on climate change, the environment, use of agricultural land, the AONB and its setting, wildlife habitats, protecting long distance views, open countryside and settlement gaps.

**Change suggested by respondent:**

Remove policy from the Plan.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 12).

**Full text:**

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 12).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

We recognise that the policy supporting this allocation contains wording to avoid impacts to biodiversity and seeks opportunity for gains to biodiversity and Green Infrastructure. As mentioned previously, we question whether the policy could provide more clarity regarding levels of BNG, as we have seen in other Local Authority Plans. For example, the Environment Act will make a minimum of 10% Biodiversity Net Gain mandatory by November 2023, and as such this should be made clear in the policy. Alternatively, if CDC is seeking to be more ambitious by setting a minimum of 20% BNG for major development, as seen in the Adopted Worthing Local Plan, this could be specified.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Noting the need for a master plan and to collaborate]. Reinforce that a master planning process presents an opportunity for the Council, and early consultation/working with key stakeholders, to

- consider traffic associated with the developments using, accessing, and exiting the A27
- consider viable alternatives to the private car and the possible travel routes
- understand future infrastructure requirements
- develop a package of mitigation measures with detailed costing
- utilise Travel Plan monitoring strategies triggered through phased development
- collect appropriate mitigation funding

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style. o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that: “Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to

ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of  
 - 10,359 dwellings  
 - 114,652 net additional sqm new floorspace  
 Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby



necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

The site is in a high sensitivity area in terms of landscape and visual amenity, with inter-visibility issues between to the South Downs and Chichester Harbour AONB to be considered – which the policy fails to properly address in terms of how this would be protected. The facilities within the parish are already at capacity. Without proper infrastructure investment, additional development will worsen the current situation.

#### Full text:

##### Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails “To meet the needs of the present without compromising the ability of future generations to meet their own needs” (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of “cart before the horse” thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District’s population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council’s record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to ‘Hold the Line’ vs. ‘Managed Retreat’ in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.

5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city’s ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called ‘resilient road’ with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the “most crash prone A road” in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.

6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.
14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

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**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>**Object****Document Element:** Policy A11 Highgrove Farm, Bosham**Respondent:** Stagecoach South (Rob Vince) [8141]**Summary:**

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes

major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can

it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate to this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.  
The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...

...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is

necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 "Strategic Infrastructure" includes the following statement:

"To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process."

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a "sustainable or integrated" transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and "East of Chichester" (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary "The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks". This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation partake to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

#### 4. Climate Change and the Natural Environment

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

#### 5. Housing

##### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.



Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates

the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide has "run out of road" no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this. Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

"Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use."

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

"1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

“Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council’s Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car.”

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west through movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22, nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d'être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The authority will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel." (our emphasis)

Within the text quoted above, references to National Highways and "the Company" can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District's identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan's own Strategic Objectives can be met.

#### 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous "predict and provide" solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

"Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety

and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

...”

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

“b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;”

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

“d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities”;

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site”

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective “tick box” exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

"9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised."

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered "severe" in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

"(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...

• Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and..."

At limb v) the Policy expects developers to meet the "in perpetuity costs of operating and maintaining infrastructure". This shackles development management decisions to developers assuming what are infinite costs – given that "in perpetuity", read properly, can only mean "without any limit in time". This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the "town centre first" approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach

has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

#### 9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

#### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, unsurveyed and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.



We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

" ...  
 • Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.  
 ..."

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...  
 10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,  
 ..."

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“ ...

12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;

”

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“ ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“ ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport

Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

“...”

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

“...”

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“...”

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or

accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhamphnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest

and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“ ...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

Policy A11 should accordingly be modified to read:

“ ...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

**Support**

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Forestry Commission (Richard Cobb) [8202]

**Summary:**

Forestry Commission provides advice, does not support or object.

Bolster planting to North, South and East is welcome. This policy could be improved by requiring bolster planting to the West as well, where there appears to be an existing line of trees, making it well placed to further contribute to wider connectivity with existing and additional planting.

**Full text:**

Please note that as a Non-Ministerial Government Department, we provide no opinion supporting or objecting to planning applications or local plans including their soundness or legal compliance.

Rather we are including advice and information that we advise the Council consider to ensure their pre-submission local plan avoids potential impacts and promote enhancements/expansion as part of the proposed local plan regarding trees and woodland, including ancient woodland. We acknowledge that the purpose of Regulation 19 consultations does not usually extend to making substantial changes which are not related to soundness so we offer our advice as helpful guidance to ensure the local plan takes every opportunity to secure the protection, enhancement and expansion of Chichester's valuable trees and woodlands to comply with planning policy, good practice and to make the most of the many benefits they provide to the environment, local economy and community.

**Overall Comments**

Ancient woodlands, veteran and ancient trees are irreplaceable habitats, and it is essential that they are considered appropriately to avoid any direct or indirect effects that could cause their loss or deterioration, in line with Government Standing Advice. Ancient Woodland has very high potential ecological value and should act as integral focal points, alongside other locally and nationally designated sites, as part of delivering landscape scale nature recovery.

Any development or plan that include these irreplaceable habitats on or near to the site should aim to deliver high standards of net gains and ecological connectivity that supports wider ecological networks, in line with good practice. This will also be a requirement as part of the local nature recovery strategies being driven by the Environment Act 2021 and we advise that plans should anticipate this to maximise environmental benefits to contribute to reversing the national trend of ecological decline as part of broader nature recovery networks. The Local Plan should be considered as a crucial and timely opportunity to secure significant and strategic, plan-led environmental gains due to their scope and scale, particularly given the timescales of development being influenced that coincide with UK Government commitments regarding halving emissions and protecting 30% of nature by 2030, towards a net-zero carbon and nature positive economy.

The development strategy should prioritise the protection of trees and woodlands with the highest priority being given to ancient woodland, ancient and veteran trees as individual habitats and as part of wider ecological networks.

**Site Allocation comments:****Policy A7 Land at Shopwyke (Oving Parish)**

Site specific considerations could recognise the existing trees, hedgerows and woodland and prioritise their protection, enhancement and expansion as part of biodiversity net gains. Acoustic screening referred to could also use trees to make the most of multi-functional benefits they bring.

**Policy A8 Land East of Chichester**

We welcome efforts to bolster the existing woodland and the proposed strategic wildlife corridor to the East and the enhancements that development could bring.

**Policy A11 Highgrove Farm, Bosham**

Bolster planting to North, South and East is welcome. This policy could be improved by requiring bolster planting to the West as well, where there appears to be an existing line of trees, making it well placed to further contribute to wider connectivity with existing and additional planting.

**Policy A12 Chidham and Hambrook and Policy A13 Southbourne Broad Location for Development**

We note that more detailed proposals will emerge as part of a Neighbourhood plans. We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this). The policy could be improved by highlighting its importance and high priority as part of efforts to protect, enhance, expand and connect habitats as part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area. The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development

**Policy A14 Land West of Tangmere**

The requirement for significant levels of green infrastructure is welcome. This policy could be strengthened by requiring development to retain and bolster existing hedgerows and trees wherever possible.

**Policy A16 Goodwood Motor Circuit and Airfield and Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield**

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

**Policy A21 Land east of Rolls Royce**

This area contains areas of existing trees, hedgerow and woodland which are not currently mentioned by the policy. We would encourage any development to be sensitive to this and provide additional planting where possible.

**Overarching comments**

We would welcome the consideration of incorporating large and small pockets of multi-functional woodland as part of green infrastructure provision for development, particularly given the relatively low proportion of woodland found throughout the District, and the benefits this can have as 'stepping stones' between habitats as part of the Local Plan's welcome vision of strategic wildlife corridors.

We also encourage the Council to appraise the plan against the following advice to maximise the benefits from protection, enhancement and expansion of woodlands, trees and connectivity throughout the District:

**Additional improvements to consider**

- Tree/hedgerow removal is considered as a last resort but where it is justified, we advise that developments can aim to deliver no net deforestation to help encourage development that provides an overall environmental gain. Where trees are required to be removed, additional tree planting will be made to compensate for this loss and we would advise that additional planting should be made to help compensate for the loss of habitat in the time it takes for new trees to mature.
- Long term management and maintenance of planted trees and woodland creation to give them every chance to becoming established and where

trees do fail, they are replaced

- A minimum standard for tree canopy cover for new developments (e.g. for large-scale developments) as it provides a targetable level of green infrastructure in relation to trees for the numerous ecosystem services they provide.
- Precautions should be incorporated into any woodland design and tree planting to ensure that habitat creation is established successfully and that potential impacts from deer are managed on site and in the surrounding area as appropriate. See here for further guidance that should be followed for managing impacts from deer as part of woodland creation and tree planting: <https://www.gov.uk/government/publications/woodland-creation-and-mitigating-the-impacts-of-deer/woodland-creation-and-mitigating-the-impacts-of-deer> Some good practice advice is also provided in Appendix 1 of this letter.
- We advise that any tree planting should meet the following:
  - o Trees should be healthy and good practice biosecurity should be followed to prevent the risk of spreading pests and disease, in line with Government advice: <https://www.gov.uk/government/collections/tree-pests-and-diseases>. More information on the plant healthy can be found at: Welcome to Plant Healthy - Plant Healthy
  - o Created or restored habitat should be managed in perpetuity in line with a robust management plan that follows good practice to ensure assumed benefits of created habitats are delivered in practice (see Standing Advice referred to on page 1). We recommend meeting the UK Forestry Standard to demonstrate this.
- To help mitigate climate and support local economy would urge council to develop local plan policy that makes use of locally sourced timber. This has multiple benefits as it can help store carbon within development, reduce impact from transportation, reduce embodied carbon from alternative materials and support local economies and communities.
- Where developments incorporate District Heating, consider locally and sustainably sourced wood-fuels for the benefits this can have for renewable energy and towards a local, circular economy
- Use tree planting as part of nature based solutions for managing flood risk as well as other multi-functional benefits from green infrastructure as part of any development (e.g. Trees and woodlands provide £400 million of value in flood protection)
- We encourage the Council to refine their strategy to trees and woodlands using the recently launched 'Trees and Woodland Strategy Toolkit' available here: <https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/> to design and deliver a local tree strategy to harness the long-term benefits that trees can bring to local communities. The local plan should be developed with tree/woodlands in mind as an integral part, alongside other supplementary strategies for the environment including biodiversity, green infrastructure, nature recovery and climate change.

Key guidance regarding trees, woodland and development

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 180(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In considering the impacts of the development on Ancient Woodland, Ancient and Veteran trees, the planning authority should consider direct and indirect impacts resulting from both construction and operational phases.

Please refer to Natural England and Forestry Commission joint Standing Advice for Ancient Woodland and Ancient and Veteran Trees, updated in January 2022. The Standing Advice can be a material consideration for planning decisions, and contains advice and guidance on assessing the effects of development, and how to avoid and mitigate impacts. It also includes an Assessment Guide which can help planners assess the impact of the proposed development on ancient woodland or ancient and veteran trees in line with the NPPF.

Existing trees should be retained wherever possible, and opportunities should be taken to incorporate trees into development. Trees and woodlands provide multiple benefits to society such as storing carbon, regulating temperatures, strengthening flood resilience and reducing noise and air pollution.[1] Paragraph 131 of the NPPF seeks to ensure new streets are tree lined, that opportunities should be taken to incorporate trees elsewhere in developments, and that existing trees are retained wherever possible. Appropriate measures should be in place to secure the long-term maintenance of newly planted trees. The Forestry Commission may be able to give further support in developing appropriate conditions in relation to woodland creation, management or mitigation.

Biodiversity Net Gain (BNG): Paragraph 174(d) of the NPPF sets out that planning (policies and) decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 180(d) encourages development design to integrate opportunities to improve biodiversity, especially where this can secure net gains for biodiversity. A requirement for most development to deliver a minimum of 10% BNG is expected to become mandatory from November 2023. The planning authority should consider the wide range of benefits trees, hedgerows and woodlands provide as part of delivering good practice biodiversity net gain requirements. Losses of irreplaceable or very high distinctiveness habitat cannot adequately be accounted for through BNG.

Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Forestry Commission Planning Guidance Annex 1.pdf - <https://chichester.oc2.uk/a/t5r>

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Mrs Jane Towers [7058]

**Summary:**

There is absolutely no certainty that the Waste Water Treatment Plant will have capacity or that there will be funding for sufficient upgrades. There are already hours of outages into Chichester Harbour. To satisfy the housing numbers by putting homes on this site in a semi- rural village so close to the AONB is completely wrong.

**Full text:**

This is a wholly inappropriate location for the 300 planned homes. It will impact on the long-distance views and the connectivity between the AONB and SDNP. It is in precisely the location where there is open countryside to both sides of the road, the setting of the AONB will be harmed. It is on good agricultural land and open countryside. The settlement gap will all but disappear between Bosham and Fishbourne, resulting in coalescence and suburban sprawl. There is absolutely no certainty that the Waste Water Treatment Plant will have capacity or that there will be funding for sufficient upgrades. There are already hours of outages into Chichester Harbour. To satisfy the housing numbers by putting homes on this site in a semi- rural village so close to the AONB is completely wrong.

**Change suggested by respondent:**

Remove the Policy from the Plan

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Willowfield Farm (Mr Thomas Procter, Director) [8063]

**Summary:**

I object to the sole allocation of an addiotnal 245 houses at highgrove. It ignores existing neighbourhood plan (adopted), it does not give due regard to residents opinions, it was not properly consulted, no site visits to other sites took place, HBO0003 has been unfairly disregarded..

**Full text:**

I object to the sole allocation of an addiotnal 245 houses at highgrove. It ignores existing neighbourhood plan (adopted), it does not give due regard to residents opinions, it was not properly consulted, no site visits to other sites took place, HBO0003 has been unfairly disregarded..

**Change suggested by respondent:**

25-30 units should be allocated to HBO0003

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None



## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

The Chichester Harbour Trust objects to the inclusion of A11 Land at Highgrove Farm, Bosham. This proposal represents major development adjacent to the Chichester Harbour AONB and within the 5.6km zone of influence for Chichester Harbour SSSI. It is our observation that this allocation represents a conflict with the policies outlined in the Plan chapter 4 on the natural environment, which makes it hard to justify the soundness of the Plan,

**Full text:**

The Chichester Harbour Trust objects to the inclusion of A11 Land at Highgrove Farm, Bosham. This proposal represents major development adjacent to the Chichester Harbour AONB and within the 5.6km zone of influence for Chichester Harbour SSSI. It is our observation that this allocation represents a conflict with the policies outlined in the Plan chapter 4 on the natural environment, which makes it hard to justify the soundness of the Plan, particularly:

Policy NE2 Natural Landscape  
 Policy NE3 Landscape Gaps between settlements  
 Policy NE6 Chichester's Internationally and Nationally Designated Habitats  
 Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty Policy NE16 Water Management and Water Quality

Our specific objections to the allocation at A11 relates to:

- the impact on the sensitive landscape setting of the AONB and loss of open views to the South Downs
- the over-reliance on developing greenfield sites, mostly on grade 1 & 2 agricultural land leading to concerns about unsustainable loss of countryside and impact on food production and food security
- the inadequate waste water treatment infrastructure and lack of funded improvements in the timescales required
- the additional flood risk and ground water issues raised by construction on low lying coastal plain sites
- the impact on biodiversity and species that rely on the interconnectivity between the protected landscapes
- the additional recreational pressure within the SSSI zone of influence
- the inevitable increase in air, noise, and soil pollution

Overall, we feel that the allocation does not reflect emerging government rhetoric (which may soon translate to policy through the NPPF) about overdevelopment of countryside in the South East of England, and that the timescale is not compatible with the NPPF review which may lead to an alternative method of determining housing allocations in the district. For this reason we find the plan to be unsound.

**Change suggested by respondent:**

Removal of A11 Highgrove Farm from the Plan

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/trv>

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Chichester Harbour Conservancy is seriously concerned about this allocation. The NPPF states "The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas." To further urbanise the boundary would have a disastrous impact on the AONB designation, with clear visibility from the AONB boundary. If this development goes ahead, it will question the fundamental principle of a 'protected' landscape, and open the doors to the further degradation of the AONB boundary.

**Full text:**

Chichester Harbour Conservancy is seriously concerned about this allocation. The NPPF states "The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas." To further urbanise the boundary would have a disastrous impact on the AONB designation, with clear visibility from the AONB boundary. If this development goes ahead, it will question the fundamental principle of a 'protected' landscape, and open the doors to the further degradation of the AONB boundary.

**Change suggested by respondent:**

Delete A11 and create a Wildlife Corridor instead.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Policy A11 Artists Impression.pdf - <https://chichester.oc2.uk/a/sd8>  
 CHC Response 2019 A11.pdf - <https://chichester.oc2.uk/a/sdw>

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Ms Annie Marchant [7780]

**Summary:**

I object to the Highgrove Farm Bosham proposal being included in the Local Plan per the comprehensive and substantiated reasons documented in their comments (copy attached), including:  
Wastewater; Roads and Transport; Pollution; Flood Risk; Settlement Boundaries; Character of Village; Local Voice and Consultee Reservations; Lack of Amenities; Loss of Agricultural Greenfield Land; Loss of Biodiversity;

**Full text:**

I object to the Highgrove Farm Bosham proposal being included in the Local Plan per the comprehensive and substantiated reasons documented in their comments (copy attached), including:  
Wastewater; Roads and Transport; Pollution; Flood Risk; Settlement Boundaries; Character of Village; Local Voice and Consultee Reservations; Lack of Amenities; Loss of Agricultural Greenfield Land; Loss of Biodiversity;

**Change suggested by respondent:**

Policy A11 Highgrove Farm, Bosham should be removed from the local plan.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Summary of Bosham Associations comments - <https://chichester.oc2.uk/a/sqv>

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Barratt David Wilson Homes [7523]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

Supports the principle of the allocation, but requests further consideration of the following requirements:

- older persons accommodation
- allocation of gypsy and traveller pitches

[see attached representation for further information]

**Full text:**

1 Henry Adams LLP act on behalf of Barratt David Wilson (Client) in respect of Land at Maudlin Farm (the Site). These representations respond to the Regulation 19 Consultation version of the Chichester Local Plan 2021-2039 (Feb 2023), which identifies the site as a Strategic Development allocation through Policy A11 Highgrove Farm, Bosham.

1.2 In this context, our response is focused on the following matters;

- ☒ The development strategy, settlement hierarchy and distribution of development,
- ☒ The overall amount of new housing required within the new plan period, and
- ☒ The strategic allocation proposed at Bosham in Policy A11.

1.3 The Site is subject of a live application which was submitted over 2 years to the Council, following publication of an Interim Housing Statement, which encouraged applications on suitably located sites, including those comprising draft allocations. The Council are yet to determine this application. This submission is accompanied by the design and access statement (Appendix 1) submitted with the live application for the site which focuses on the site opportunities and constraints alongside the design considerations.

In summary, the Client supports the allocation of Highgrove Farm, Bosham for residential development. The technical work and accompanying design and access statement demonstrate that the site is capable of delivering 300 dwellings during the course of the plan period.

6.2 The Client would however request that amendments be made to the wording of the policy to allow for a level of flexibility so that any future development can be aligned with what is appropriate to deliver to meet local needs.

**Change suggested by respondent:**

The policy should be more flexibly worded to allow for all forms of elderly care to be delivered and reflect the proposals in the live application before the Council.

With regards to gypsy and traveller pitches, we consider it would not be appropriate to include such provision until further evidence has been provided on suitability of the approach, need in this specific location and suitability as part of housing allocation of this scale, with a single point of access. On the basis of the above, we object to the requirement in the allocation for 3 gypsy and traveller plots.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** Local Plan Reg 19 Representation obo BDW - <https://chichester.oc2.uk/a/smq>  
Highgrove Farm, Bosham A11 - <https://chichester.oc2.uk/a/snr>  
Highgrove Farm, Bosham H1 - <https://chichester.oc2.uk/a/sns>  
Highgrove Far, Bosham E2 - <https://chichester.oc2.uk/a/snt>  
Highgrove Farm, Bosham P5 - <https://chichester.oc2.uk/a/sn3>  
Highgrove Farm, Bosham S1 - <https://chichester.oc2.uk/a/sn4>

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** Barratt David Wilson Homes [7523]

**Agent:** Henry Adams LLP (Peter Cleveland, Head of Planning) [6827]

**Summary:**

Support in principle. Suggested changes to policy in additional rep - 5683.

**Full text:**

1 Henry Adams LLP act on behalf of Barratt David Wilson (Client) in respect of Land at Maudlin Farm (the Site). These representations respond to the Regulation 19 Consultation version of the Chichester Local Plan 2021-2039 (Feb 2023), which identifies the site as a Strategic Development allocation through Policy A11 Highgrove Farm, Bosham.

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- ☒ The development strategy, settlement hierarchy and distribution of development,
- ☒ The overall amount of new housing required within the new plan period, and
- ☒ The strategic allocation proposed at Bosham in Policy A11.

1.3 The Site is subject of a live application which was submitted over 2 years to the Council, following publication of an Interim Housing Statement, which encouraged applications on suitably located sites, including those comprising draft allocations. The Council are yet to determine this application. This submission is accompanied by the design and access statement (Appendix 1) submitted with the live application for the site which focuses on the site opportunities and constraints alongside the design considerations.

In summary, the Client supports the allocation of Highgrove Farm, Bosham for residential development. The technical work and accompanying design and access statement demonstrate that the site is capable of delivering 300 dwellings during the course of the plan period.

6.2 The Client would however request that amendments be made to the wording of the policy to allow for a level of flexibility so that any future development can be aligned with what is appropriate to deliver to meet local needs.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Local Plan Reg 19 Representation obo BDW - <https://chichester.oc2.uk/a/smq>  
Highgrove Farm, Bosham A11 - <https://chichester.oc2.uk/a/snr>  
Highgrove Farm, Bosham H1 - <https://chichester.oc2.uk/a/sns>  
Highgrove Far, Bosham E2 - <https://chichester.oc2.uk/a/snt>  
Highgrove Farm, Bosham P5 - <https://chichester.oc2.uk/a/sn3>  
Highgrove Farm, Bosham S1 - <https://chichester.oc2.uk/a/sn4>

## Object

**Document Element:** Policy A11 Highgrove Farm, Bosham

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

This policy proposes a small number of additional dwellings which will not generate enough additional passengers to justify increasing the current hourly train service at Nutbourne.

Therefore, as Policy A13 is a far better location for sustainable access development at Chidham and Hambrook should only be considered once the Southbourne development has reached maximum additional number of dwellings it is possible to locate there.

By the time the Southbourne development is saturated, population growth will have moved the rail industry West Sussex Connectivity Modular Study and strategy to the stage where Rapid Transit alternative to heavy rail will be needed for local journeys to free the tracks for the expanding interregional service, and so development that is not suitable for heavy rail access should be phased to coincide with development of a rapid transit system that could be bus or rail based.

Support most. 8 and 9. 8 needs to change to exclude off site traffic impacts, except for buses, service and delivery vehicles. Change wording as follows  
8. Provide safe and suitable access for all users. Provide or fund improved and new walking and cycle routes that are continuous, direct, safe, attractive and comfortable to bus stops, local community facilities and railway station.

**Full text:**

See attached.

**Change suggested by respondent:**

Change wording as follows

8. Provide safe and suitable access for all users. Provide or fund improved and new walking and cycle routes that are continuous, direct, safe, attractive and comfortable to bus stops, local community facilities and railway station.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Mrs Donna-Maria Thomas [7822]

**Summary:**

Objection against A12 on grounds of: nitrate neutrality; wastewater pollution and treatment; congestion; road network; air pollution; loss of greenfield/agricultural land; lack of infrastructure. See full submission and attachments.

**Full text:**

I am emailing as a member of the public who has been invited to make comments on the proposed new Chichester District Council Local Plan. Firstly, I have been invited to comment on whether the plan is legally compliant. With this in mind, I would question whether it is. I am aware that there is legislation which is designed to protect Chichester Harbour, namely, I believe, the Chichester Harbour Conservancy Act 1971. This legislation gives the Harbour Conservancy a duty to conserve, maintain and improve the harbour. In the proposed local plan it states:

"4.120. In February 2018 the Chichester Harbour designated Site of Special Scientific Interest (SSSI) was downgraded from 'Unfavourable – recovering' to 'Unfavourable – no change'. Further assessment during 2019/20 found that more than 3000ha of the intertidal parts of Chichester Harbour were now 'Unfavourable – declining'. A specific policy is therefore required to address this issue. Nitrates finding their way into the Harbour (from a variety of sources) cause algal growth which is harmful to wildlife. Although the proportion of total nitrogen originating from new development is very small, it is important that this source is addressed whilst other measures, such as catchment management, are undertaken to reduce other inputs and recover wildlife."

Concerning nitrate mitigation, I note that the South Downs National Park Authority (SDNPA) are not able to guarantee any further land to offset nitrates and this will impact the number of houses which can be built in the area. The SDNPA has made this clear in the letter they have submitted in consultation regarding Policy A11 (attached). There are, I believe, several proposed sites in the local plan which will need to be able to show they have nutrient neutrality and at present, they cannot do this. With this in mind, I suggest that it would be wrong to propose the site referred to in Policy A11 and any other sites where this matter applies.

In addition to the issue of nitrates, there is also the issue of water pollution which is blighting the harbour. Building over 10,000 new houses in the district is going to exacerbate both nitrate and wastewater pollution. A study by Chichester Clean Harbours Partnership (attached) shows that at five sites which were tested within Chichester Harbour, all failed tests for E.coli and Feral Streptococci levels which suggests water quality in the harbour is being impacted by the constant outflows of sewage which are happening across the thirteen outlets which Southern Water control and discharge directly into the harbour. Last year's data shows that Southern Water spent over 19% of the year releasing untreated sewage into the Chichester Harbour waters. This is evidence that Southern Water is either unable or unwilling to cope with treating the wastewater generated by the housing in the district so to propose 10,000 further houses with no guaranteed upgrades to the wastewater treatment seems ludicrous and a dereliction of the statutory legislation designed to protect the harbour. For these reasons I would question whether the plan can be judged as legally compliant.

The second area I have been invited to consider is whether the proposed plan is 'sound'. To this, I would suggest that there are so many contradictions between what the plan proposes and what is found in the National Planning Policy Framework (NPPF), other consultation documentation and the plan itself that I believe the plan cannot be found to be sound. As an example two examples referred to above:

Allowing building to go ahead on land without being able to guarantee nitrate offset brings the plan into conflict with itself. (Policies NE12, NE13, NE19)

To allow building to go ahead which is guaranteed to increase sewage outflow into the harbour brings the plan into conflict with itself. (Policies NE12, NE13, NE16, NE17)

The focus of most of the plan seems to be on providing housing. However, the NPPF makes it clear that house building needs to be sustainable and include infrastructure in order to meet the economic objective and that there is an environmental objective to be considered both of which I do not believe this plan is meeting.

The proposed local plan does not include any guaranteed upgrades to the strategic road network but does refer to the fact that the congestion on the roads is a major concern for the residents of the Chichester District. (Proposed Local Plan Point 8.3) I am aware that the strategic road network is an issue outside of the Council's control but again, to propose adding 10,000 plus housing to the area when they are aware of the serious congestion problem seems nonsensical, especially now in the light of the government removing mandatory house building targets.

The main issue the Chichester District seems to have is that within the boundary, there is a large percentage of land which is protected from development as SDNP and AONB land. What this plan seems to be doing is trying to cram 90% of the original government-proposed allocation of housing into 23% of the land in the district. It stands to

reason that this will have a detrimental impact on the road network. In addition, Chichester District Council are aware that the major junctions on the A27 have been operating at capacity since the last local plan was written and in their transport assessment published in January 2023, they have made reference to the major junctions now all operating well over capacity (CDC Local Plan Transport Assessment 2039 Point 11.2.1) and have made reference to the fact that there has been no mitigation which was proposed in the previous local plan to most of the junctions (CDC Local Plan Transport Assessment 2039 Point 1.3.2). Therefore building more housing without guaranteed upgrades to the road network would seem both unfair to the residents and businesses who are already suffering the daily challenge of congestion and unethical in the light of the plan which contains several policies referring to minimising the climate crisis, reducing pollution and only allowing development which does not exacerbate congestion and road use. Once again this brings the plan into conflict with itself because the additional congestion is going to impact both pollution in general and air pollution specifically (Policies NE20, NE22)

The NPPF suggests that there is a presumption in favour of sustainable development but I would argue that trying to fit too many houses into a small, already over-congested area, is not sustainable and does nothing to enhance the lives of people who already live in the area. Of the three objectives in the NPPF (economic, social and environmental) this plan only seems to address the social objective of providing more housing. It does not address the economic objective because of the strain building 10,000 further houses will create on already weak infrastructure. More importantly, it does nothing to address the environmental objective because it will increase pollution and exacerbate problems with the sewage network and the road network which already exist.

In conclusion, with reference to whether the plan is sound, I do not believe it can be judged as sound because, aside from contradicting itself and not fulfilling the objectives outlined in the NPPF as I have highlighted above, the plan is not taking into account local people's wishes. There have been several action groups set up and demonstrations against further building in the area on the large-scale proposed here. Neighbourhood Plans have been completely disregarded and people in the area have genuine concerns about the impact of pollution on the harbour, the relentless building with no additional infrastructure and the detrimental impact of building on farmland and the implications for biodiversity and agricultural security as well as coalescence of our villages and strain on already overburdened resources such as doctors, schools and village shops.

I can speak concerning Policy A11 because this directly affects where I live but I will also try to highlight below other policies where I know the proposed sites conflict with what is in the neighbourhood plan and conflict with statements in the local plan.

Our neighbourhood plan has been ignored and the site proposed was the site deemed least suitable for development and conflicts with the statements in the local plan in the following ways:

- 1) The site is greenfield land and there is brownfield land available capable of being used for smaller-scale development (Burns Shipyard). This would appear to be the case with most of the proposed sites being greenfield land. (Policies A6, A10, A11, A12 A13 and A14). The NPPF states that where possible preference should be given to using brownfield land for development before allowing development on Greenfield or agricultural land.
- 2) The site is wholly outside of the Bosham settlement boundary which in the plan would define this as the countryside. The local plan states in Chapter 3, that development in the countryside should be 'restricted' to what is essential and meets the proposed needs as defined by policy NE10. The site chosen does not meet the criteria set in policy NE10 and proposing the site, therefore, puts it into contradiction with the plan.
- 3) The site proposed for Policy A11 is grade 1 and 2 productive agricultural land. The local plan states that it will seek to protect the best and most versatile agricultural land from large-scale, inappropriate or unsustainable non-agricultural development proposals that are not in accordance with the Development Plan. (Local Plan Point 4.8) However for the sites A1, A12 and A14 this does not seem to be the case. In the case of some of the land proposed from Policy A14, I believe the land has been compulsorily purchased from farmers. A large majority of the land proposed for development in the local plan is viable and productive agricultural land.
- 4) The site's overflow wastewater discharges from the Bosham outlet into the Bosham channel. This outlet has been the most compromised in 2022 and has discharged for the largest amount of hours out of all 13 outlets

that discharge into Chichester Harbour.

5) The site proposed for Policy A11 has no proposed primary school provision. The local village school is at capacity and is unable to be expanded on its current site because there is no land available. Instead, the children from this proposed development will be expected to go to school outside of the village and this will inevitably lead to more cars on the roads as the proposed schools with places are not accessible by public transport or within walking/cycling distance. Again, this is a theme common to Policy A12.

6) The site proposed in Policy A11 suggests that the land is likely to suffer from groundwater and surface runoff flooding. The likelihood of flooding is greatest along the western boundary of the site which abuts the existing development of Brooks Lane. Brooks Lane already suffers periods of flooding. The NPPF says that new development should not increase the likelihood of flooding at existing developments.

7) The vehicle access to the A259 is via one vehicle access point only, which is likely to exacerbate air pollution at peak times with cars idling to access the A259.

8) The proposed additions to the village will be a fourth community hall, which there is no desire or need for and no end-user has been identified to maintain, allotments which were specifically proposed at the initial consultation and rejected as the least popular choice of an additional community facility and a mini football pitch which has been hastily added and squeezed onto the site of inadequate size and with inadequate parking provision to make it a usable asset.

For all of these reasons, I believe that the proposed local plan cannot be judged to be sound. There were several hundred objections to Policy A11 and I believe there would be true for most of the sites proposed. Our local neighbourhood plans have not been taken into account when producing this plan and this is against what is stated in the NPPF which suggests that Neighbourhood Plans give communities the power to develop a shared vision for their area. (NPPF Point 29)

The last area I have been invited to consider is if the proposed local plan meets the duty to co-operate. In this respect, I feel that the duty to co-operate seems to have been viewed as more a 'duty to consult' Whilst there has arguably been consultation between appropriate bodies and other local authorities, I do not believe the plan reflects the advice that has been given. Again, coming back to Policy A11 as an example the SDNPA, Chichester Harbour Conservancy, Southern Water and National Highways have all raised reservations about the proposed scale of development and the impact it will have on the Bosham area and local infrastructure. However, the reservations have not been heeded and the proposed development is still much the same as it was at the outset. Again, local plans have been ignored and local voices have not been heard. Whilst I am aware that the duty to co-operate is not a duty to agree, if every aspect of a consultation is ignored, I would argue this can hardly equate to co-operation.

In conclusion, I understand the importance of having a local plan and I understand the constraints that Chichester District Council is under due to the available land infrastructure constraints it faces which are largely outside of its control. However, because of the above, and that they have now been given the freedom to deviate from mandatory government house building targets, I would ask you to pay scrutiny to the number of houses in the proposed plan and recommend to Chichester District Council that they need to go back and rewrite the plan to reduce house building to a sustainable level of 23.5% of the government proposed allocation to reflect the percentage of land which is available in the district for development. I also recommend that there be a moratorium on further development in the district until the issues of water pollution by nitrates and sewage can be addressed and until there are the mitigation measures proposed in the transport assessment to allow for further house building.

#### Change suggested by respondent:

Removal of policy A12 from the proposed plan.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/s3f>  
Supporting Document - SDNPA Letter - <https://chichester.oc2.uk/a/s3g>  
Supporting Document - CHP Newsletter - <https://chichester.oc2.uk/a/s3h>

## Object

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

#### Summary:

Objection grounds similar to those for A11, including:

- i) non-compliance with NE16 due to insufficient wastewater treatment capacity for housing proposed, and adverse impact on water quality of Chichester Harbour; no guarantee or timetabled plan for upgrades;
- ii) lack of road network capacity (esp. Fishbourne roundabout), associated impacts on congestion and air quality, and no guaranteed major improvements;
- iii) lack of primary education capacity; schools inaccessible via walking/public transport;
- iv) inappropriate proposed community facilities and inadequate existing rural amenities;
- v) significant public and local opposition to proposal.

#### Full text:

There are hundreds of objections locally to this site's inclusion. There was permission given for 50 houses which appear to have been land banked by the developer to try and force through planning permission using the tilted balance approach. Now that the government is changing the NPPF to give communities greater input into development in their area, the objections of our 435 members and the objections of the hundreds of other families in our small community, the objections of our parish council and neighbouring parish councils which are in the summary below and attached document should be considered and carry weight.

#### Change suggested by respondent:

Policy A12 should be removed for similar reasons to those given in the document attached.

There should be a moratorium on development until wastewater treatment can be guaranteed and the mitigation needed for the A27 junctions can be guaranteed.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Bosham Association Representations on Policy A11.pdf - <https://chichester.oc2.uk/a/ss4>

## Object

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

As set out previously the figure should be 500 and there are no sound reasons to reduce it to 300.

If there are key views then they should be identified at plan stage and not left to subjective judgement at a later date

**Full text:**

As set out previously the figure should be 500 and there are no sound reasons to reduce it to 300.

**Change suggested by respondent:**

Increase figure to 500.

Identify key views.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]

**Summary:**

The proposed allocations within the East/West corridor, would not comply with Policy NE13 and would damage the visual relief to the built up areas and the views between the AONB and the SDNP.

**Full text:**

The proposed allocations within the East/West corridor, would not comply with this policy and would damage the visual relief to the built up areas and the views between the AONB and the SDNP.

**Change suggested by respondent:**

Proposed allocations adjacent to the AONB and impacting on its setting, including views into and from the SDNP should be removed.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

The information available in the consultation does not seem to define the area and as such, does not enable SWT to give effective feedback on the impacts on biodiversity from development at this scale in this broad location. We do note that that supporting policy wording requires impacts to biodiversity and protected sites to be avoided, and the delivery of Biodiversity Net Gain. We wish to highlight that the broad location, in addition to a Strategic Wildlife Corridor, has Biodiversity Opportunity Areas highlighted within it and these are likely to be key locations in Nature Recovery Networks and emerging Local Nature Recovery Strategies, NPPG Paragraph: 010 Reference ID: 8-010-20190721

Given the clear commitment to coastal policies in the draft Local Plan, we ask if that should be highlighted within the policy requirements.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Given the clear commitment to coastal policies in the draft Local Plan, we ask if that should be highlighted within the policy requirements.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Seaward Properties Ltd [7119]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

We request further clarification of the 300 dwelling allocation at Chidham and Hambrook in policy A12 to confirm the allocation is fixed as a minimum figure and will not be affected by any pending applications and appeals for the post January 2023 period.

**Full text:**

See attached representation.

**Change suggested by respondent:**

The text should be amended to state 'Land will be allocated for development in the revised Chidham and Hambrook Neighbourhood Plan or Site Allocations DPD for a minimum of 300 dwellings and supporting facilities and infrastructure. This would provide the plan with more flexibility in the event the parish decides not to proceed with a Neighbourhood Plan review.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Seawrd Reg 19 - <https://chichester.oc2.uk/a/sfm>

## Support

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Noting the need for a master plan and to collaborate]. Reinforce that a master planning process presents an opportunity for the Council, and early consultation/working with key stakeholders, to

- consider traffic associated with the developments using, accessing, and exiting the A27
- consider viable alternatives to the private car and the possible travel routes
- understand future infrastructure requirements
- develop a package of mitigation measures with detailed costing
- utilise Travel Plan monitoring strategies triggered through phased development
- collect appropriate mitigation funding

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified - Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective - Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy - Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:  
"Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.



We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

The Parish of Chidham and Hambrook is located to the west of Chichester city along the east-west corridor. The parish is located close to Chichester Harbour and consideration must be given to the potential impact of development in terms of disturbance on the Chichester Harbour SPA/SAC/Ramsar.

The text describes Chidham and Hambrook as a village. But then states that Hambrook and Nutbourne East is a Service Village. The Parish is made up of three villages which share one railway station. The parish has two public houses, a single form entry primary school and a small sub post office that opens part of the week doubling up as a convenience store. The only recreational facility for young people is a child's very small playpark on Broad Rd.

Since the last made Local Plan the area has absorbed 242 houses against an established target of 25.

**Full text:**

**Executive Summary**

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Support

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

As the specific site is not allocated, we are supportive of policy requirement 10 that allocations take a sequential approach to flood risk.

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 11).

**Full text:**

As the specific site is not allocated, we are supportive of policy requirement 10 that allocations take a sequential approach to flood risk.

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 11).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it’s rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during

this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to

meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.  
The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...

...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation partake to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated

within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be



satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

#### 4. Climate Change and the Natural Environment

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester.

There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion

through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

#### 5. Housing

##### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing

supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that "constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method..." The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protected is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a “policy off” position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council’s chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that “predict and provide has “run out of road” no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan’s spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this. Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

“Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

“1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high

quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

#### 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason. the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to "roll forward" this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west though movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of "zero-sum" game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous "predict and provide" approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that "shared mobility" – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this "cars first" approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester "This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone." This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d'être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan's transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel." (our emphasis)

Within the text quoted above, references to National Highways and "the Company" can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material. To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District's identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan's own Strategic Objectives can be met.

#### 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous "predict and provide" solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be adduced, Policy T1 should be modified to read:

"Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as an a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;

6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.

7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

...”

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan’s own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan’s Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

“b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;”

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

“d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities”;

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site”

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective “tick box” exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...  
• Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.



The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council's aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar of reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

#### 9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

#### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This

road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, unsurveyed and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

- “  
...  
• Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.  
...”

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

- “  
...  
10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,  
...”

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely

ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“ ...

12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;

”

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base is in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“ ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

”

9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

“

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

“

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;  
..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the and impact of this service to damped car trip demands will be very substantially compromised. No such

measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“..."

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and...”

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/2022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

Policy A12 should accordingly be modified to read:

“..."

7. Development should make the requisite contributions for off-site improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Dandara Southern Limited [8180]

**Agent:** Henry Adams LLP (Mrs Rebecca Tier, Senior Planner) [8116]

**Summary:**

- Policy confirms land will be allocated for development in the revised Chidham and Hambrook Neighbourhood Plan for a minimum of 300 dwellings and supporting facilities and infrastructure;
- Parish is a logical position for the strategic expansion given its sustainable transportation link and lack of constraints in comparison to other locations;

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation in relation to the land at Flat Farm, Hambrook, PO18 8FT, as shown on the attached plan HA Appendix 1: Site Location Plan, and hereon referred to as the site.

1.2 This representation will provide a written responses in relation the questions in the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District through an appropriate allocation within the Council's Local Plan, or through an allocation of numbers to the Hambrook Parish as set out in policy A12 of the Draft Local Plan, who in turn would select sites through a Neighbourhood Plan allocation.

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that we do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesigned and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the plan does rely on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above is not precise and does not provide any clear timetable for delivery within the Plan period. Whilst my comments are noted above that the Plan could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent, however, due to the lack of evidence to demonstrate that the 535 dpa figure should be capped due to the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Development in Chidham, Hambrook & Nutbourne

3.1 Our client's site is located within the village of Nutbourne and comprises an area of land of 1.3 hectares adjacent to the existing residential development along Broad Road. The site is currently located outside, but directly to the east of the settlement boundary of Nutbourne.

3.2 The Local Plan provides for a moderate level of growth within the parishes of Fishbourne, Chidham & Hambrook and Bosham, known as service villages, where it is acknowledged that there is good / excellent potential to bring forward development with opportunities to support and expand existing facilities and for increased use of public transport options.

3.3 Policy A12 relates to the strategic Chidham and Hambrook allocation and confirms that land will be allocated for development in the revised Chidham and Hambrook Neighbourhood Plan for a minimum of 300 dwellings and supporting facilities and infrastructure.

3.4 The Parish of Nutbourne and Hambrook is a logical position for the strategic expansion of 300 dwellings, given its sustainable transportation links and lack of constraints in comparison to other locations within the southern area of the District. The evidence documents which have informed the Plan also support the quantum of development put forward in the policy allocation.

3.5 As our client's land could deliver up to 40 dwellings, it would be an appropriately sized site, adjacent to the existing settlement boundary of Nutbourne, which would not compromise the spatial development of Nutbourne or Hambrook to the north. We will therefore be looking to promote our client's site with Chidham & Hambrook Parish Council through a Neighbourhood Plan allocation, and will be recommending to the Parish they allocate a number of small to medium sites to meet the Local Plan policy requirement of 300 dwellings. This development strategy will ensure the integrity and current linear spatial pattern of the service villages are maintained.

3.6 Our client's land is ideally situated adjacent to existing residential development which surrounds the site to the north, south and west. This includes the recent development at Hambrook Place and the linear form of dwellings along Broad Road to the west, Hambrook Holiday & Caravan Park to the north and further residential development accessed from Broad Road to the south. The site would not extend further to the east than the built form of development located to the north and south and would not therefore encroach on the wider field pattern to the east. The impact on the wider rural landscape to the east would therefore be limited and the views looking towards the South Downs from the A259 would not be harmed.

3.7 The site sits outside and to the south of the Green Corridor shown in the Interim Version of the Chidham & Hambrook Neighbourhood Plan Strategy published October 2021. The development of this site would not therefore impact on the integrity of the Green Corridor or the gap between the settlement boundaries of Hambrook and Nutbourne as shown in the Neighbourhood Plan Strategy.

#### The Current Appeal

3.8 In addition to the promotion of the site for allocation within the next iteration of the Neighbourhood Plan, the Council will be aware that this site is also currently subject to a pending appeal relating to planning application 20/03378/OUT. This application seeks outline planning permission for thirty dwellings with access, associated works, including the provision of swales.

3.9 The pending planning appeal follows a previous outline application, 20/00412/OUT for an entry level housing scheme of thirty-five affordable dwellings which was dismissed at appeal on 14 January 2022. The main reason for dismissing this appeal was the proposed development was considered to give rise to adverse effects on the integrity of the local Habitats sites. Whilst the Inspector considered adequate mitigation measures in respect of nutrient neutrality had been provided by the Appellant, an appropriate mechanism for securing these measures for the duration of the development had not been provided with any adequate degree of certainty. It should be noted that no other concerns were raised by the Inspector in relation to the suitability of this site for the development.

3.10 The Council have raised two concerns in relation to the current pending appeal for thirty dwellings on the site. The Council raise concern with future occupiers of the discounted market housing (DMS) not being able to obtain mortgages due to properties proximity to electricity pylons which would lead to properties being occupied on a social rented basis. In this scenario, the Council consider in combination with the adjacent social rented scheme, this would result in an unacceptably high concentration of mono tenure properties.

3.11 The Chidham & Hambrook Neighbourhood Plan Strategy also notes the presence of pylons and overhead power lines along the northern edge of Nutbourne and the limitations this might cause to development in relation to the guidance published by National Grid (Design Guidelines for Development near Pylons and High Voltage Overhead Power Lines).

3.12 Taking into account the Inspector's comments on this point in relation to the previous appeal for 35 no. affordable residential dwellings, it should be noted that the Inspector previously considered that the Appellant's evidence demonstrated that there were lenders willing to offer mortgages for DMS properties.

3.13 It should also be noted that as this forms an outline planning application with all matters reserved except for access, the layout of affordable housing is not a matter to be considered under this outline appeal scheme. Nine affordable units would also not lead to an intensive cluster of affordable housing as they have frontages onto different roads.

3.14 The second issue raised by the Council in relation to the appeal could be overcome through the provision of a s106 agreement to provide an appropriate mechanism to secure the mitigation measures relating to nutrient neutrality.

3.15 As the Council have raised no concerns in relation to the principle of residential development on the site with regard to the current planning appeal, the use of the site for residential development is generally considered to be acceptable. This could be delivered through a successful outcome on the current appeal, through a future allocation within the Neighbourhood Plan or via an SPD prepared by the Council.



**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified

**Attachments:** Hambrook Representation - <https://chichester.oc2.uk/a/snk>  
Representation Form - H1 - <https://chichester.oc2.uk/a/snz>  
Representation Form - S1 - <https://chichester.oc2.uk/a/snm>  
Representation Form H3 - <https://chichester.oc2.uk/a/snn>

**Support****Document Element:** Policy A12 Chidham and Hambrook**Respondent:** Forestry Commission (Richard Cobb) [8202]**Summary:**

Forestry Commission provides advice, does not support or object.

We note that more detailed proposals will emerge as part of a Neighbourhood plans. We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this).

The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome.

**Full text:**

Please note that as a Non-Ministerial Government Department, we provide no opinion supporting or objecting to planning applications or local plans including their soundness or legal compliance.

Rather we are including advice and information that we advise the Council consider to ensure their pre-submission local plan avoids potential impacts and promote enhancements/expansion as part of the proposed local plan regarding trees and woodland, including ancient woodland. We acknowledge that the purpose of Regulation 19 consultations does not usually extend to making substantial changes which are not related to soundness so we offer our advice as helpful guidance to ensure the local plan takes every opportunity to secure the protection, enhancement and expansion of Chichester's valuable trees and woodlands to comply with planning policy, good practice and to make the most of the many benefits they provide to the environment, local economy and community.

**Overall Comments**

Ancient woodlands, veteran and ancient trees are irreplaceable habitats, and it is essential that they are considered appropriately to avoid any direct or indirect effects that could cause their loss or deterioration, in line with Government Standing Advice. Ancient Woodland has very high potential ecological value and should act as integral focal points, alongside other locally and nationally designated sites, as part of delivering landscape scale nature recovery.

Any development or plan that include these irreplaceable habitats on or near to the site should aim to deliver high standards of net gains and ecological connectivity that supports wider ecological networks, in line with good practice. This will also be a requirement as part of the local nature recovery strategies being driven by the Environment Act 2021 and we advise that plans should anticipate this to maximise environmental benefits to contribute to reversing the national trend of ecological decline as part of broader nature recovery networks. The Local Plan should be considered as a crucial and timely opportunity to secure significant and strategic, plan-led environmental gains due to their scope and scale, particularly given the timescales of development being influenced that coincide with UK Government commitments regarding halving emissions and protecting 30% of nature by 2030, towards a net-zero carbon and nature positive economy.

The development strategy should prioritise the protection of trees and woodlands with the highest priority being given to ancient woodland, ancient and veteran trees as individual habitats and as part of wider ecological networks.

**Site Allocation comments:****Policy A7 Land at Shopwyke (Oving Parish)**

Site specific considerations could recognise the existing trees, hedgerows and woodland and prioritise their protection, enhancement and expansion as part of biodiversity net gains. Acoustic screening referred to could also use trees to make the most of multi-functional benefits they bring.

**Policy A8 Land East of Chichester**

We welcome efforts to bolster the existing woodland and the proposed strategic wildlife corridor to the East and the enhancements that development could bring.

**Policy A11 Highgrove Farm, Bosham**

Bolster planting to North, South and East is welcome. This policy could be improved by requiring bolster planting to the West as well, where there appears to be an existing line of trees, making it well placed to further contribute to wider connectivity with existing and additional planting.

**Policy A12 Chidham and Hambrook and Policy A13 Southbourne Broad Location for Development**

We note that more detailed proposals will emerge as part of a Neighbourhood plans. We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this). The policy could be improved by highlighting its importance and high priority as part of efforts to protect, enhance, expand and connect habitats as part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area. The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development

**Policy A14 Land West of Tangmere**

The requirement for significant levels of green infrastructure is welcome. This policy could be strengthened by requiring development to retain and bolster existing hedgerows and trees wherever possible.

**Policy A16 Goodwood Motor Circuit and Airfield and Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield**

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

## Policy A21 Land east of Rolls Royce

This area contains areas of existing trees, hedgerow and woodland which are not currently mentioned by the policy. We would encourage any development to be sensitive to this and provide additional planting where possible.

## Overarching comments

We would welcome the consideration of incorporating large and small pockets of multi-functional woodland as part of green infrastructure provision for development, particularly given the relatively low proportion of woodland found throughout the District, and the benefits this can have as 'stepping stones' between habitats as part of the Local Plan's welcome vision of strategic wildlife corridors.

We also encourage the Council to appraise the plan against the following advice to maximise the benefits from protection, enhancement and expansion of woodlands, trees and connectivity throughout the District:

## Additional improvements to consider

- Tree/hedgerow removal is considered as a last resort but where it is justified, we advise that developments can aim to deliver no net deforestation to help encourage development that provides an overall environmental gain. Where trees are required to be removed, additional tree planting will be made to compensate for this loss and we would advise that additional planting should be made to help compensate for the loss of habitat in the time it takes for new trees to mature.
- Long term management and maintenance of planted trees and woodland creation to give them every chance to becoming established and where trees do fail, they are replaced
- A minimum standard for tree canopy cover for new developments (e.g. for large-scale developments) as it provides a targetable level of green infrastructure in relation to trees for the numerous ecosystem services they provide.
- Precautions should be incorporated into any woodland design and tree planting to ensure that habitat creation is established successfully and that potential impacts from deer are managed on site and in the surrounding area as appropriate. See here for further guidance that should be followed for managing impacts from deer as part of woodland creation and tree planting: <https://www.gov.uk/government/publications/woodland-creation-and-mitigating-the-impacts-of-deer/woodland-creation-and-mitigating-the-impacts-of-deer> Some good practice advice is also provided in Appendix 1 of this letter.
- We advise that any tree planting should meet the following:
  - o Trees should be healthy and good practice biosecurity should be followed to prevent the risk of spreading pests and disease, in line with Government advice: <https://www.gov.uk/government/collections/tree-pests-and-diseases>. More information on the plant healthy can be found at: Welcome to Plant Healthy - Plant Healthy
  - o Created or restored habitat should be managed in perpetuity in line with a robust management plan that follows good practice to ensure assumed benefits of created habitats are delivered in practice (see Standing Advice referred to on page 1). We recommend meeting the UK Forestry Standard to demonstrate this.
- To help mitigate climate and support local economy would urge council to develop local plan policy that makes use of locally sourced timber. This has multiple benefits as it can help store carbon within development, reduce impact from transportation, reduce embodied carbon from alternative materials and support local economies and communities.
- Where developments incorporate District Heating, consider locally and sustainably sourced wood-fuels for the benefits this can have for renewable energy and towards a local, circular economy
- Use tree planting as part of nature based solutions for managing flood risk as well as other multi-functional benefits from green infrastructure as part of any development (e.g. Trees and woodlands provide £400 million of value in flood protection)
- We encourage the Council to refine their strategy to trees and woodlands using the recently launched 'Trees and Woodland Strategy Toolkit' available here: <https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/> to design and deliver a local tree strategy to harness the long-term benefits that trees can bring to local communities. The local plan should be developed with tree/woodlands in mind as an integral part, alongside other supplementary strategies for the environment including biodiversity, green infrastructure, nature recovery and climate change.

## Key guidance regarding trees, woodland and development

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 180(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In considering the impacts of the development on Ancient Woodland, Ancient and Veteran trees, the planning authority should consider direct and indirect impacts resulting from both construction and operational phases.

Please refer to Natural England and Forestry Commission joint Standing Advice for Ancient Woodland and Ancient and Veteran Trees, updated in January 2022. The Standing Advice can be a material consideration for planning decisions, and contains advice and guidance on assessing the effects of development, and how to avoid and mitigate impacts. It also includes an Assessment Guide which can help planners assess the impact of the proposed development on ancient woodland or ancient and veteran trees in line with the NPPF.

Existing trees should be retained wherever possible, and opportunities should be taken to incorporate trees into development. Trees and woodlands provide multiple benefits to society such as storing carbon, regulating temperatures, strengthening flood resilience and reducing noise and air pollution.[1] Paragraph 131 of the NPPF seeks to ensure new streets are tree lined, that opportunities should be taken to incorporate trees elsewhere in developments, and that existing trees are retained wherever possible. Appropriate measures should be in place to secure the long-term maintenance of newly planted trees. The Forestry Commission may be able to give further support in developing appropriate conditions in relation to woodland creation, management or mitigation.

Biodiversity Net Gain (BNG): Paragraph 174(d) of the NPPF sets out that planning (policies and) decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 180(d) encourages development design to integrate opportunities to improve biodiversity, especially where this can secure net gains for biodiversity. A requirement for most development to deliver a minimum of 10% BNG is expected to become mandatory from November 2023. The planning authority should consider the wide range of benefits trees, hedgerows and woodlands provide as part of delivering good practice biodiversity net gain requirements. Losses of irreplaceable or very high distinctiveness habitat cannot adequately be accounted for through BNG.

## Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Forestry Commission Planning Guidance Annex 1.pdf - <https://chichester.oc2.uk/a/t5r>

**Object**

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Forestry Commission (Richard Cobb) [8202]

**Summary:**

We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this).

The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development

**Full text:**

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**Overall Comments**

Ancient woodlands, veteran and ancient trees are irreplaceable habitats, and it is essential that they are considered appropriately to avoid any direct or indirect effects that could cause their loss or deterioration, in line with Government Standing Advice. Ancient Woodland has very high potential ecological value and should act as integral focal points, alongside other locally and nationally designated sites, as part of delivering landscape scale nature recovery.

Any development or plan that include these irreplaceable habitats on or near to the site should aim to deliver high standards of net gains and ecological connectivity that supports wider ecological networks, in line with good practice. This will also be a requirement as part of the local nature recovery strategies being driven by the Environment Act 2021 and we advise that plans should anticipate this to maximise environmental benefits to contribute to reversing the national trend of ecological decline as part of broader nature recovery networks. The Local Plan should be considered as a crucial and timely opportunity to secure significant and strategic, plan-led environmental gains due to their scope and scale, particularly given the timescales of development being influenced that coincide with UK Government commitments regarding halving emissions and protecting 30% of nature by 2030, towards a net-zero carbon and nature positive economy.

The development strategy should prioritise the protection of trees and woodlands with the highest priority being given to ancient woodland, ancient and veteran trees as individual habitats and as part of wider ecological networks.

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Site specific considerations could recognise the existing trees, hedgerows and woodland and prioritise their protection, enhancement and expansion as part of biodiversity net gains. Acoustic screening referred to could also use trees to make the most of multi-functional benefits they bring.

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This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

**Policy A21 Land east of Rolls Royce**

This area contains areas of existing trees, hedgerow and woodland which are not currently mentioned by the policy. We would encourage any development to be sensitive to this and provide additional planting where possible.

**Overarching comments**

We would welcome the consideration of incorporating large and small pockets of multi-functional woodland as part of green infrastructure provision for development, particularly given the relatively low proportion of woodland found throughout the District, and the benefits this can have as 'stepping stones' between habitats as part of the Local Plan's welcome vision of strategic wildlife corridors.

We also encourage the Council to appraise the plan against the following advice to maximise the benefits from protection, enhancement and expansion of woodlands, trees and connectivity throughout the District:

**Additional improvements to consider**

- Tree/hedgerow removal is considered as a last resort but where it is justified, we advise that developments can aim to deliver no net deforestation to help encourage development that provides an overall environmental gain. Where trees are required to be removed, additional tree planting will be made to compensate for this loss and we would advise that additional planting should be made to help compensate for the loss of habitat in the time it

takes for new trees to mature.

- Long term management and maintenance of planted trees and woodland creation to give them every chance to becoming established and where trees do fail, they are replaced
- A minimum standard for tree canopy cover for new developments (e.g. for large-scale developments) as it provides a targetable level of green infrastructure in relation to trees for the numerous ecosystem services they provide.
- Precautions should be incorporated into any woodland design and tree planting to ensure that habitat creation is established successfully and that potential impacts from deer are managed on site and in the surrounding area as appropriate. See here for further guidance that should be followed for managing impacts from deer as part of woodland creation and tree planting: <https://www.gov.uk/government/publications/woodland-creation-and-mitigating-the-impacts-of-deer/woodland-creation-and-mitigating-the-impacts-of-deer> Some good practice advice is also provided in Appendix 1 of this letter.
- We advise that any tree planting should meet the following:
  - o Trees should be healthy and good practice biosecurity should be followed to prevent the risk of spreading pests and disease, in line with Government advice: <https://www.gov.uk/government/collections/tree-pests-and-diseases>. More information on the plant healthy can be found at: Welcome to Plant Healthy - Plant Healthy
  - o Created or restored habitat should be managed in perpetuity in line with a robust management plan that follows good practice to ensure assumed benefits of created habitats are delivered in practice (see Standing Advice referred to on page 1). We recommend meeting the UK Forestry Standard to demonstrate this.
- To help mitigate climate and support local economy would urge council to develop local plan policy that makes use of locally sourced timber. This has multiple benefits as it can help store carbon within development, reduce impact from transportation, reduce embodied carbon from alternative materials and support local economies and communities.
- Where developments incorporate District Heating, consider locally and sustainably sourced wood-fuels for the benefits this can have for renewable energy and towards a local, circular economy
- Use tree planting as part of nature based solutions for managing flood risk as well as other multi-functional benefits from green infrastructure as part of any development (e.g. Trees and woodlands provide £400 million of value in flood protection)
- We encourage the Council to refine their strategy to trees and woodlands using the recently launched 'Trees and Woodland Strategy Toolkit' available here: <https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/> to design and deliver a local tree strategy to harness the long-term benefits that trees can bring to local communities. The local plan should be developed with tree/woodlands in mind as an integral part, alongside other supplementary strategies for the environment including biodiversity, green infrastructure, nature recovery and climate change.

#### Key guidance regarding trees, woodland and development

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 180(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In considering the impacts of the development on Ancient Woodland, Ancient and Veteran trees, the planning authority should consider direct and indirect impacts resulting from both construction and operational phases.

Please refer to Natural England and Forestry Commission joint Standing Advice for Ancient Woodland and Ancient and Veteran Trees, updated in January 2022. The Standing Advice can be a material consideration for planning decisions, and contains advice and guidance on assessing the effects of development, and how to avoid and mitigate impacts. It also includes an Assessment Guide which can help planners assess the impact of the proposed development on ancient woodland or ancient and veteran trees in line with the NPPF.

Existing trees should be retained wherever possible, and opportunities should be taken to incorporate trees into development. Trees and woodlands provide multiple benefits to society such as storing carbon, regulating temperatures, strengthening flood resilience and reducing noise and air pollution.[1] Paragraph 131 of the NPPF seeks to ensure new streets are tree lined, that opportunities should be taken to incorporate trees elsewhere in developments, and that existing trees are retained wherever possible. Appropriate measures should be in place to secure the long-term maintenance of newly planted trees. The Forestry Commission may be able to give further support in developing appropriate conditions in relation to woodland creation, management or mitigation.

Biodiversity Net Gain (BNG): Paragraph 174(d) of the NPPF sets out that planning (policies and) decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 180(d) encourages development design to integrate opportunities to improve biodiversity, especially where this can secure net gains for biodiversity. A requirement for most development to deliver a minimum of 10% BNG is expected to become mandatory from November 2023. The planning authority should consider the wide range of benefits trees, hedgerows and woodlands provide as part of delivering good practice biodiversity net gain requirements. Losses of irreplaceable or very high distinctiveness habitat cannot adequately be accounted for through BNG.

#### Change suggested by respondent:

The policy could be improved by highlighting the importance and high priority of ancient woodland as part of efforts to protect, enhance, expand and connect habitats as part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area.

The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor could be strengthened by requiring development to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Forestry Commission Planning Guidance Annex 1.pdf - <https://chichester.oc2.uk/a/t5r>

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

The broad site allocation lacks specific detail on its environmental impact, therefore we are unable to either support or object at this stage. We welcome point 5 requiring habitat protection.

**Full text:**

The broad site allocation lacks specific detail on its environmental impact, therefore we are unable to either support or object at this stage. We welcome point 5 requiring habitat protection. We request that any future allocation requires a site survey for ancient woodland and ancient & veteran trees, and that appropriate buffers are applied, before the number and layout of dwellings is agreed.

**Change suggested by respondent:**

We request that any future allocation requires a site survey for ancient woodland and ancient & veteran trees, and that appropriate buffers are applied, before the number and layout of dwellings is agreed.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Chidham and Hambrook Parish Council (Parish Clerk, Clerk) [7830]

**Summary:**

Limit the allocation of houses to the number of houses currently permitted to this date i.e 144.

**Full text:**

Permissions have already been given for 144 homes to be built (2021-2023). To deliver the Local Plan number of 300 homes, a further 156 homes would be required which is more than Nutbourne and Hambrook could absorb. It should be noted that an additional 248 dwellings are pending Appeal. The Local Plan allocation of 300 homes would increase by 30% the overall number of dwellings in a small, semi-rural location. To put this context the indicative housing number for the Parish in 2014-2019 plan was 25.

There are numerous constraints which would be difficult or impossible to overcome while adhering to policies in the Plan.

**Agricultural Land**

All the sites identified in the HELAA are green field and the vast majority are viable and productive grade 1 and 2. At a time when food security is so much at risk and our need for self-sufficiency is growing, these need to be preserved. To find sites for a further 156 homes would inevitably mean building on these fields. The HELAA is based on available land, whether or not it is suitable.

**Local facilities**

These are very limited and more so than adjacent parishes. There is no viable grocery store, medical facilities or sports facilities. Accessing any of these requires a journey, impracticable by public transport and too far for walking. The Primary School is in Chidham, 1.2 miles away from the Northern part of Hambrook. There is no public transport north to south. Trains are irregular and infrequent with a service running hourly. The one bus service, along the A259, has recently been reduced to half hourly. Anyone needing to access day to day services will be travelling elsewhere and with the absence of reliable, frequent public transport and the distance required to walk them, these journeys will be made by car. It is therefore not a sustainable location which will reduce the need for car use.

**Wildlife and biodiversity**

Several sites in the HELAA are within the designated Wildlife Corridors. If Policy NE4 is to be adhered to no development should take place to protect the transit of wildlife and essential connectivity between the SDNP and AONB. Housing with associated noise, lighting and pollution cannot protect and enhance the integrity of any Wildlife Corridor.

**Long-distance views**

The setting of our villages is characterised by a flat landscape and long-distance views to the SDNP and the Harbour. Locating a further 156 homes on any of our available sites will destroy these views.

**AONB and setting**

At least half of our parish is in the AONB. Further development will result in increased recreational disturbance and will accelerate the depletion of Chichester Harbour. These impacts cannot be successfully mitigated, particularly when mitigation is allowed off site.

**Settlement Boundaries/Gaps**

Building 156 further homes will erode our settlement gaps, both between the parish and neighbouring Southbourne, and within the two settlements of Nutbourne and Hambrook. The gaps identified should be respected.

**Roads**

All new residents will need to access the A259, which is rapidly reaching capacity. Close to 2000 additional homes have been allocated to this corridor. The A27 is already over capacity and the Fishbourne roundabout, which most new residents will use to access the A27, is in need of upgrading. This will not happen before any housing is built resulting in increased peak time delays and a decrease in air quality.

The A259 has inadequate infrastructure for walking or cycling. Cycling lanes are inconsistent, frequently disappearing altogether, and those that are there are too narrow. Cyclists feel increasing unsafe on this busy road.

To reach local facilities would require longer walks than the Government's suggested 2km to access facilities on foot.

**Wastewater**

Thornham Wastewater Treatment Plant can currently only connect to 178 new properties (Feb 2023). 'There is at present no certainty of a deliverable solution for the Thornham catchment and any solution will time to deliver' (Thornham/CDC Position Statement Nov 201). It is therefore clear that there is not sufficient capacity now or for the foreseeable future.

Southern Water have not yet published their DWMP so there is no guarantee that investment will be available, how much or over what period.

The sewage network is not working now with 256.26 hours of discharges into the Harbour from Thornham since 1 January 2023. This is on top of total releases during the 2022 calendar year of 257.82 hours. (Classified as genuine by the Southern Water Beach Buoy system 14 Mar 2023)

**Residents' consultation**

We see it as part of our duty, as a Parish Council representing our residents, to reiterate a very clear message from the detailed consultation we carried out with our residents in the Summer of 2021, where residents indicated consideration concern as substantial increases of houses in the parish.

**Change suggested by respondent:**

Limit the allocation of houses to the number of houses currently permitted to this date i.e 144.

**Legally compliant:** Yes

**Sound:** Yes

**Comply with duty:** Yes

**Attachments:** None

**Object****Document Element:** Policy A12 Chidham and Hambrook**Respondent:** Mrs Jane Towers [7058]**Summary:**

Use of cars for everyday needs is rising and will rise even further. N & H is simply too far from facilities to expect people to walk and cycling is not safe. Thornham Waste Water Treatment Plant has very limited capacity left and no certainty of any upgrades. This is a semi rural area which has already had far in excess of the 25 houses identified in the last Local Plan and in the NP. Putting a combined total of 600 houses ( with Bosham ) to boost the housing numbers is totally wrong

**Full text:**

Nutbourne and Hambrook simply cannot absorb an additional 156 homes to the 144 that have already been given permission. It would mean approving development within settlement gaps, on good grade agricultural land, within wild life corridors, close to the AONB setting , obliterating long-distance views or in open countryside. Policies throughout the Plan refer to all these as needing the highest protection, Policy A13 is , therefore, in direct conflict. Facilities are very few, with no medical or retail; public transport is unreliable, infrequent and irregular. Use of cars for everyday needs is rising and will rise even further. N & H is simply too far from facilities to expect people to walk and cycling is not safe. Thornham Waste Water Treatment Plant has very limited capacity left and no certainty of any upgrades. This is a semi rural area which has already had far in excess of the 25 houses identified in the last Local Plan and in the NP. Putting a combined total of 600 houses ( with Bosham ) to boost the housing numbers is totally wrong

**Change suggested by respondent:**

Reduce the number to those that already have permission ie 144

**Legally compliant:** Yes

Sound: No

**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy A12 Chidham and Hambrook**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]**Summary:**

The Chichester Harbour Trust objects to the allocation at A12 Land at Chidham and Hambrook. This proposal represents major development adjacent to the Chichester Harbour AONB and is disproportionate to the size and facilities of the existing settlement.

**Full text:**

The Chichester Harbour Trust objects to the allocation at A12 Land at Chidham and Hambrook. This proposal represents major development adjacent to the Chichester Harbour AONB and is disproportionate to the size and facilities of the existing settlement.

It is within the 5.6km zone of influence for Chichester Harbour SSSI. It is our observation that this allocation represents a conflict with the policies outlined in the Plan chapter 4 on the natural environment, which makes it hard to justify the soundness of the Plan, particularly: Policy NE2 Natural Landscape Policy NE3 Landscape Gaps between settlements Policy NE6 Chichester's Internationally and Nationally Designated Habitats Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty Policy NE16 Water Management and Water Quality

It is difficult to make an assessment of the impact of housing development in the broad location without specific site allocation plans, which we understand would come through the neighbourhood plan process. However our general concerns about the allocation relate to:

the impact on the sensitive landscape setting of the AONB and loss of open views to the South Downs

- the over-reliance on developing greenfield sites, mostly on grade 1 & 2 agricultural land leading to concerns about unsustainable loss of countryside and impact on food production and food security

- the inadequate waste water treatment infrastructure at Thornham WWTW and lack of funded improvements in the timescales required

- the additional flood risk and ground water issues raised by construction on low lying coastal plain sites

- the impact on biodiversity and species that rely on the interconnectivity between the protected landscapes - the additional recreational pressure within the SSSI zone of influence

- the inevitable increase in air, noise, and soil pollution

Overall, we feel that the allocation does not reflect emerging government rhetoric (which may soon translate to policy through the NPPF) about overdevelopment of countryside in the South East of England, and that the timescale is not compatible with the NPPF review which may lead to an alternative method of determining housing allocations in the district. For this reason we find the plan to be unsound.

**Change suggested by respondent:**

We would need to have a clearer idea of the location of the proposed development to comment more fully, however in principle we object to the proposed level of development for a village of this size and would wish for the allocation to be substantially reduced.

**Legally compliant:** No

Sound: No

**Comply with duty:** No**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/trb>

**Object****Document Element:** Policy A12 Chidham and Hambrook**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]**Summary:**

Chichester Harbour Conservancy is seriously concerned about this allocation. The NPPF states "The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas." To further urbanise the boundary would have a disastrous impact on the AONB designation. The Conservancy cannot support Policy A12 without knowing further details about the location of the development, the mitigation measures, etc. Furthermore, as with A11 and A13, the Policy may conflict with other draft Policies in the Local Plan.

**Full text:**

Chichester Harbour Conservancy is seriously concerned about this allocation. The NPPF states "The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas." To further urbanise the boundary would have a disastrous impact on the AONB designation. The Conservancy cannot support Policy A12 without knowing further details about the location of the development, the mitigation measures, etc. Furthermore, as with A11 and A13, the Policy may conflict with other draft Policies in the Local Plan.

**Change suggested by respondent:**

Provide more detail on the allocation and the impact it may have on the AONB. Without a better understanding, the Conservancy must Object.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** CHC Response 2019 A12.pdf - <https://chichester.oc2.uk/a/sws>**Object****Document Element:** Policy A12 Chidham and Hambrook**Respondent:** Gleeson Land (Mr Dominick Veasey, Planning Manager) [7915]**Summary:**

The Plan should meet at least its full identified need of 638dpa, plus an additional buffer to accommodate unmet needs from SDNP(40 dpa), plus a 5% flexibility buffer. The resulting housing figure being 712 dpa. Based on the currently identified supply of 10,359 dwellings, a further circa. 2,500 homes (rounded) would need to be identified. In view of the shortfall the housing figure apportioned to Chidham and Hambrook parish, should be increased to at least 500 dwellings over the plan period.

**Full text:**

The Plan should meet at least its full identified need of 638dpa, plus an additional buffer to accommodate unmet needs from SDNP(40 dpa), plus a 5% flexibility buffer. The resulting housing figure being 712 dpa. Based on the currently identified supply of 10,359 dwellings, a further circa. 2,500 homes (rounded) would need to be identified. In view of the shortfall the housing figure apportioned to Chidham and Hambrook parish, should be increased to at least 500 dwellings over the plan period.

**Change suggested by respondent:**

Replace 300 with 500 dwellings. Add 'significant' to clause 5 (Ensure that development avoids significant harm to protected species and existing important habitats features and facilitates the achievement of biodiversity net gain, and facilitates the creation of high levels of habitat connectivity within the site and to the wider green infrastructure network and identified strategic wildlife corridors within the parish. This includes the provision of appropriate buffers as necessary in relation to important habitats which are being retained and/or created.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** No**Attachments:** Policy\_A12\_Gleeson\_Land.pdf - <https://chichester.oc2.uk/a/scb>**Support****Document Element:** Policy A12 Chidham and Hambrook**Respondent:** Merrow Wood [8213]**Agent:** Intelligent Land (Mr Simon Trueick) [8009]**Summary:**

Merrow Wood strongly supports the allocation of a minimum 300 dwellings within the Parish of Chidham and Hambrook to be delivered through a review of the Neighbourhood Plan. It is noted that this is in addition to sites already committed through consents. The settlement offers opportunity to deliver homes within the core growth area of the East/West Corridor and the ability for future residents to benefit from local services and facilities, and bus and rail connections direct to Chichester and elsewhere, reducing vehicle pressure on the A27.

**Full text:**

Intelligent Land is instructed by Merrow Wood, who have been selected by the landowner to help promote the site for development, to submit representations on the Chichester Local Plan Review, Submission consultation, relating to land at Prospect Farm, Cutmill View near Bosham. Merrow Wood strongly supports the allocation of a minimum 300 dwellings within the Parish of Chidham and Hambrook to be delivered through a review of the Neighbourhood Plan. It is noted that this is in addition to sites already committed through consents. The settlement offers opportunity to deliver homes within the core growth area of the East/West Corridor and the ability for future residents to benefit from local services and facilities, and bus and rail connections direct to Chichester and elsewhere, reducing vehicle pressure on the A27. Merrow Wood has previously engaged with the Parish Council regarding land at Prospect Farm and details of this site are set out in the rest of this representation. The site is well located to deliver the housing envisaged for Chidham and Hambrook in the Local Plan Review as well as community facilities and appropriate mitigation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** 20230314 Chichester Local Plan Review Submission - Prospect Farm Bosham.pdf - <https://chichester.oc2.uk/a/s78>



## Object

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Alan and Susan Green [7699]

**Summary:**

Roads in poor condition, becoming overcrowded, cars parking along narrow roads so they become one way. Management of roads is needed. Priors Leaze Lane is narrow, winds along the Ham Brook. The section between Inlands Road and the Grain Store should be converted to a footpath/cycle track so that residents can safely travel on foot/cycle. Care should be taken to protect the Ham Brook and Hairspring Watercress Farm (mentioned in the Doomsday Book).

**Full text:**

Sustainability Appraisal Comments on Soundness

More action is needed to preserve and improve the quality of life of residents. Recently there has been increased flooding and release of sewage in the Chidham, Hambrook and Bosham areas. Wildlife is also suffering and pollution increasing through high levels of traffic.

Further work needs to make clear to the government the difficulties found by the Council in coping with large new housing developments. Current infrastructure is inadequate in many areas.

A representative of Southern Water recently stated at CDC Overview and Scrutiny committee that it would be able to start on improvements in 2025, a date that they would be available was not given. Southern Water is being put in an impossible position when they are unable to manage the current amount of wastewater but have a statutory duty to treat wastewater from a new development. Tankers should only be used for short periods in emergencies, they increase the carbon footprint, pollution and damage local roads. Water is being extracted from the River Ems to cope with increasing demand.

Roads are in poor condition and becoming overcrowded, with many more cars parking along narrow roads, so that the roads become one way. Closer inspection and management of roads is needed. Priors Leaze Lane in Hambrook and Southbourne is narrow and winds along the Ham Brook. The section running between Inlands Road and the Grain Store should be converted to a footpath and cycle track so that residents from Hambrook and Southbourne can safely travel on foot/cycle.

Any new development should provide 50% of affordable housing. Other districts have managed to make 100% of some developments affordable. The current affordable price should be agreed and statistics published to show that local people, young and old are buying/renting.

The importance of rare chalk streams has recently been mentioned by the WWF, the South Downs National Committee on Chalk Streams and in the West Sussex Wildlife Trust magazine. Care should be taken to protect the Ham Brook and Hairspring Watercress Farm (mentioned in the Doomsday Book).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

This policy proposes a small number of additional dwellings which will not generate enough additional passengers to justify increasing the current hourly train service at Nutbourne.

Therefore, as Policy A13 is a far better location for sustainable access development at Chidham and Hambrook should only be considered once the Southbourne development has reached maximum additional number of dwellings it is possible to locate there.

By the time the Southbourne development is saturated, population growth will have moved the rail industry West Sussex Connectivity Modular Study and strategy to the stage where Rapid Transit alternative to heavy rail will be needed for local journeys to free the tracks for the expanding interregional service, and so development that is not suitable for heavy rail access should be phased to coincide with development of a rapid transit system that could be bus or rail based.

Support most. 7 and 8. 7 needs to change to exclude off site traffic impacts, except for buses, service and delivery vehicles. Change wording as follows 7. Provide safe and suitable access for all users. Provide or fund improved and new walking and cycle routes that are continuous, direct, safe, attractive and comfortable to bus stops, local community facilities and railway station.

**Full text:**

See attached.

**Change suggested by respondent:**

Change wording as follows

7. Provide safe and suitable access for all users. Provide or fund improved and new walking and cycle routes that are continuous, direct, safe, attractive and comfortable to bus stops, local community facilities and railway station.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A12 Chidham and Hambrook

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

[RECEIVED LATE]

Requirement 6 in policy A12 (Chidham and Hambrook) currently goes straight to "successfully mitigate" while requirement 10 in policy A13 (Southbourne) states "Provide mitigation to ensure the avoidance of adverse effects on the SPA, SAC and Ramsar site at Chichester Harbour." Policy A18 (Thorney Island) is better as it states "Proposals must avoid adverse impacts on the Chichester Harbour AONB/SAC/SPA and Ramsar designations." Suggest that all policies require development proposals to 'avoid, and if necessary mitigate, any adverse effects...'

**Full text:**

See attachment.

**Change suggested by respondent:**

Advise wording in 'Broad Location for Development' policies for Chidham and Hambrook (A12) and Southbourne (A13) be strengthened to better reflect the mitigation hierarchy. Suggest that all policies require development proposals to 'avoid, and if necessary mitigate, any adverse effects...'

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** HRA Advice - <https://chichester.oc2.uk/a/t53>

## Object

**Document Element:** Southbourne, 10.52

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Clarification is needed of what supporting facilities will consist of.

**Full text:**

Clarification is needed of what supporting facilities will consist of.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Southbourne, 10.52

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Support in principle.

**Full text:**

Clarification is needed of what supporting facilities will consist of.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Southbourne, 10.52

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

The PC has not been consulted about the increase in gypsies, travellers and show people accommodation within the development.

**Full text:**

The PC has not been consulted about the increase in gypsies, travellers and show people accommodation within the development.

**Change suggested by respondent:**

The PC has not been consulted about the increase in gypsies, travellers and show people accommodation within the development.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Southbourne, 10.52

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Southbourne is a good location for development being located within active travel distance of Southbourne railway station, with its good train service that currently has 3 trains per hour to Chichester, 2 per hour to Portsmouth and 1 per hour to London, Brighton and Southampton.

Development at Southbourne is consistent with the rail industry West Sussex Connectivity Modular Plan and GTR strategy for West Coastway to be consulted later in 2023

10.52 Suggests that Southbourne would be a suitable location for development in the later part of the plan period. However, with its good train service, and rail industry strategy Southbourne will be a good location for development before many of the other locations in the plan where access is more challenging, distant from good public transport links and will inevitably be dominated by car access or location extending smaller location, but not by enough to justify increasing the train service.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Support

**Document Element:** Southbourne, 10.54

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

The PC is committed to support endeavours to maintain and enhance the work of CHC in the AONB. Areas outside the AONB which are used for bird feeding etc could also be affected by development.

**Full text:**

The PC is committed to support endeavours to maintain and enhance the work of CHC in the AONB. Areas outside the AONB which are used for bird feeding etc could also be affected by development.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Southbourne, 10.55

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Maintenance of landscape gaps between settlements are crucial.

**Full text:**

Maintenance of landscape gaps between settlements are crucial.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Southbourne, 10.56  
**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Ref Bullet point 3.  
 The ChEm route is a crucial part of this para. as well as a pedestrian bridge over the railway.

**Full text:**

Ref Bullet point 3.  
 The ChEm route is a crucial part of this para. as well as a pedestrian bridge over the railway.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Support

**Document Element:** Southbourne, 10.56  
**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Ref Bullet point 5  
 The two Wildlife Corridors (Lumley Stream and Ham Brook) and the proposed Green Ring play crucial parts in the aspirations of this paragraph.

**Full text:**

Ref Bullet point 5  
 The two Wildlife Corridors (Lumley Stream and Ham Brook) and the proposed Green Ring play crucial parts in the aspirations of this paragraph.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Support

**Document Element:** Southbourne, 10.56  
**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Ref. bullet point 2  
 There is currently insufficient infrastructure which needs addressing in addition to new facilities which the PC would support. Provision of improved transport links to mitigate delays at level crossings are crucial.

**Full text:**

Ref. bullet point 2  
 There is currently insufficient infrastructure which needs addressing in addition to new facilities which the PC would support. Provision of improved transport links to mitigate delays at level crossings are crucial.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Support

**Document Element:** Southbourne, 10.57  
**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

This is a very important statement and SPC support it. The SPC will object to any piecemeal development applications until the Strategic Development Allocation is decided.

**Full text:**

This is a very important statement and SPC support it. The SPC will object to any piecemeal development applications until the Strategic Development Allocation is decided.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Reverend D A Hider [6451]

**Summary:**

Concern that location of BLD is ill defined.  
Objection to level of housing proposed, including due to lack of infrastructure, particularly transport.  
Concern that proposal is unrealistic.

**Full text:**

I have read the published documentation on the above subject as carefully as is possible, given the restrictions on cross-referencing whilst using a screen. My reaction is that the report is really about the immediate area of Chichester and that, where I live in Southbourne, is of less importance. Should this not be the case, perhaps you could tell me why, please, that so little space and detail is given to an area which is designated to take more than 10% of the housing requirements for the area?

Two paragraphs seem to sum up reasons why. I shall quote them below:

Southbourne and Tangmere will continue to grow and develop their role as settlement hubs by widening the range and improving the quality of public open space, leisure and community facilities for their respective local areas. For Southbourne, the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.

Southbourne is a 'Settlement Hub' with a good range of services and facilities, and rail connectivity. As a sustainable settlement, Southbourne has been identified as a location suitable for a comprehensively masterplanned mixed use development of 1,050 dwellings, with local employment, education provision and appropriate community facilities. The Plan identifies a broad location for development (BLD) at Southbourne, which means that the development site boundary will be determined at a later stage, either through a site allocations development plan document or through the neighbourhood plan.

I guess that the definitions 'Settlement Hub' and 'BLD' - whatever they mean - give licence to the Council to 'balance their books' by dumping the excess housing needs over what other areas can take into Southbourne without definition of the 'where' such provision is expected to be met, especially given your claim that the area has been 'identified' for such purpose. This is not good enough! The plan should show detail of sites proposed. Anyway, the sheer number of houses is objectionable.

But, I do complement the Council for their humour. The suggestion that Southbourne enjoys good transport links is a real LOL moment! It also shows that the report's authors do not live in Southbourne, or have ever tried to get to appointments using either public transport or the local road system. Even allowing for the current disruptions caused by strikes, maintenance works, lack of staff, etc., the service provided on both rail and bus networks is very poor and unreliable. So much so that even we have been forced to return to use of the car where timing is important. And, then, of course, we meet the problem of the road system with its huge inadequacies and under provision. Not your finest moment.

I could go on but you have, probably, stopped reading by now as this is not the stuff you want to read.

- My overall verdict on the document is that it is poor.
- My overall verdict on the proposals is 'dream on'.
- My overall expectation on the outcome is that it matters not a jot what I (or anyone else when it comes to it!) says, as we shall be stuffed with whatever the Council decides, come what may. After all, it is financially rewarding the them (via the Council Tax levy) to build as many properties as possible and in areas where 'the take' is enhanced, like Southbourne.

**Change suggested by respondent:**

Plan should show details of sites proposed within BLD.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/qx>

## Support

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Ref. Policy A13, paras. 7,10,11,12,14,15&16

Consistent with objectives and policies included in the Southbourne Submission NP which is currently at Regulation 16 consultation stage

**Full text:**

Ref. Policy A13, paras. 7,10,11,12,14,15&16

Consistent with objectives and policies included in the Southbourne Submission NP which is currently at Regulation 16 consultation stage

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** The Bosham Association (Mr Richard Pratt, Joint Chair) [7835]

**Summary:**

Objection grounds similar to other strategic allocations proposed within east-west corridor (i.e. A11 and A12), including:

- i) insufficient wastewater treatment capacity for housing proposed, and adverse impact on water quality of Chichester Harbour; no guarantee or timetabled plan for upgrades;
- ii) lack of road network capacity (esp. Fishbourne roundabout), associated impacts on congestion and air quality, and no guaranteed major improvements.

**Full text:**

Building 84% (8717 houses) of the allocated housing along the east-west corridor is not justifiable. There are no guaranteed upgrades to the sewage network or the strategic road network in this area. The areas proposed rely on wastewater treatment facilities which are already over capacity. The road network cannot cope and there are modelled peak time delays of 29 minutes to access the Fishbourne roundabout if this scale of development goes ahead. The Fishbourne roundabout has been over-capacity since 2014 and no measures have been taken to improve the situation. There is nothing guaranteed in the plan to address this.

**Change suggested by respondent:**

Policy A13 should be limited to 300 houses.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Support

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

In principle, the PC supports the proposed BLD at Southbourne. Southbourne village has been identified as a settlement hub due to the facilities it offers, even though a number of these are currently inadequate. Paragraph.6.89 of this Local Plan states that the proposed development provides the opportunity to make good the existing shortfalls (eg open space, para.6.85) and to provide well-serviced new development. This development must be achieved through comprehensive masterplanning. There has been, and continues to be, pressure for piecemeal proposals. These must be rejected to secure a properly planned expansion which maximises the provision of timely accompanying infrastructure.

**Full text:**

In principle, the PC supports the proposed BLD at Southbourne. Southbourne village has been identified as a settlement hub due to the facilities it offers, even though a number of these are currently inadequate. Paragraph.6.89 of this Local Plan states that the proposed development provides the opportunity to make good the existing shortfalls (eg open space, para.6.85) and to provide well-serviced new development. This development must be achieved through comprehensive masterplanning. There has been, and continues to be, pressure for piecemeal proposals. These must be rejected to secure a properly planned expansion which maximises the provision of timely accompanying infrastructure.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** NP3 SB11 EV5 Community Facilities (Buildings).pdf - <https://chichester.oc2.uk/a/ss9>  
NP3 SB12 EV5 Open Space, Recreation & Sport.pdf - <https://chichester.oc2.uk/a/ssv>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

This specifically relates to point 1. An assessment of need for the Southbourne Parish Neighbourhood Plan demonstrated that considerably more than 16 serviced self/custom build plots are likely to be required in future. The requirement for 16 may have been sourced from the CDC current register which may be unreliable. The Southbourne housing allocation is not anticipated to come on stream until 2028/2029 (see Local Plan Appendix E – Housing Trajectory) therefore it is currently too early to be so specific about numbers.

**Full text:**

This specifically relates to point 1. An assessment of need for the Southbourne Parish Neighbourhood Plan demonstrated that considerably more than 16 serviced self/custom build plots are likely to be required in future. The requirement for 16 may have been sourced from the CDC current register which may be unreliable. The Southbourne housing allocation is not anticipated to come on stream until 2028/2029 (see Local Plan Appendix E – Housing Trajectory) therefore it is currently too early to be so specific about numbers.

**Change suggested by respondent:**

Delete "16"

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** sb1.png - <https://chichester.oc2.uk/a/st3>  
Custom Build report - SPNP R SB5.EV3 NEW 26.2.21.docx - <https://chichester.oc2.uk/a/st4>

**Object****Document Element:** Policy A13 Southbourne Broad Location for Development**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]**Summary:**

There is no reference to the ChEm route - a route for cyclists linking Emsworth and Chichester. It is an initiative being gradually implemented, as opportunities arise, to provide a safe route alongside the A259 to encourage cycling as a sustainable means of travel. ChEm route will eventually form part of the local network of cycle routes to which the proposed new allocation will be connected. The Local Plan gives weight to sustainable forms of transport including new cycle networks (Policy T2c) and as this Policy A13 is site specific it would be appropriate to include this initiative by name.

**Full text:**

There is no reference to the ChEm route - a route for cyclists linking Emsworth and Chichester. It is an initiative being gradually implemented, as opportunities arise, to provide a safe route alongside the A259 to encourage cycling as a sustainable means of travel. ChEm route will eventually form part of the local network of cycle routes to which the proposed new allocation will be connected. The Local Plan gives weight to sustainable forms of transport including new cycle networks (Policy T2c) and as this Policy A13 is site specific it would be appropriate to include this initiative by name.

**Change suggested by respondent:**

At the end of the Policy include "....sustainable transport options (including ChEm route)"

Please note these comments relate specifically to A13 point 4.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy A13 Southbourne Broad Location for Development**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]**Summary:**

Ref A13 point 6. Infrastructure - its current shortfalls and poor quality - is another major issue locally. Education and medical services are overstretched and this was evident long before the pandemic. This site specific policy, not just the supporting text, should be clear about what type of facilities will be required and should include reference to medical/health services and retail. "Local employment opportunities" are mentioned in para. 10.52 but not in the policy, so has less weight. Work on the Neighbourhood Plan has shown potential for an enterprise hub with flexible working space.

**Full text:**

Ref A13 point 6. Infrastructure - its current shortfalls and poor quality - is another major issue locally. Education and medical services are overstretched and this was evident long before the pandemic. This site specific policy, not just the supporting text, should be clear about what type of facilities will be required and should include reference to medical/health services and retail. "Local employment opportunities" are mentioned in para. 10.52 but not in the policy, so has less weight. Work on the Neighbourhood Plan has shown potential for an enterprise hub with flexible working space.

**Change suggested by respondent:**

Add into Policy A13.6 "..... community facilities, medical/health facilities, retail, employment and transport in accordance with ....."

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** NP3-SB10-EV10-Employment Conclusions.pdf - <https://chichester.oc2.uk/a/st5>sb10.docx - <https://chichester.oc2.uk/a/st6>sb11.docx - <https://chichester.oc2.uk/a/st7>**Object****Document Element:** Policy A13 Southbourne Broad Location for Development**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]**Summary:**

Ref.point.16 Evidence shows that Green Infrastructure in Southbourne is currently well below the amount required, and the policy should refer to this to ensure that the new development provides for this to be made good as well as providing for the needs of those occupying the new development. LP PolicyP14, in particular subsections 1&2, sets out how the need for new Green Infrastructure should be incorporated into new allocations requiring that it ".... is integrated into the development design and meets the needs of the communities within and beyond the site boundaries" (i.e. those residents living outside the Southbourne BLD).

**Full text:**

Ref.point.16 Evidence shows that Green Infrastructure in Southbourne is currently well below the amount required, and the policy should refer to this to ensure that the new development provides for this to be made good as well as providing for the needs of those occupying the new development. LP PolicyP14, in particular subsections 1&2, sets out how the need for new Green Infrastructure should be incorporated into new allocations requiring that it ".... is integrated into the development design and meets the needs of the communities within and beyond the site boundaries" (i.e. those residents living outside the Southbourne BLD).

**Change suggested by respondent:**

Additional sentence following "..... countryside and surroundings. Currently there is a shortfall in Green Infrastructure available to existing local residents which needs to be addressed within the Broad Location for Development."

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** Local Plan tables 6.3 and 6.4.docx - <https://chichester.oc2.uk/a/stc>NP3-SB12-EV5-Open-Space-Recreation-Sport 2022.pdf - <https://chichester.oc2.uk/a/std>Southbourne Parish Submission Modified Plan 2014 – 2029, Policy sb13 and para 5.62.docx - <https://chichester.oc2.uk/a/stw>

## Support

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Ref.point.13 Provision of appropriate waste-water services is fundamental. Lack of capacity at ThornhamWWTW is the subject of considerable concern. Southern Water has been using storm-water discharges into Chichester Harbour to overcome capacity problems for years and this has contributed to the declining water quality. While the issue of nitrate discharge may be more difficult to resolve, it is not an excuse for allowing primary treated human waste to exacerbate the problem. Delivery of the proposed development at Southbourne is at least 6yrs away, and the PC will expect appropriate waste-water treatment to be available in good time to serve it.

**Full text:**

Ref.point.13 Provision of appropriate waste-water services is fundamental. Lack of capacity at ThornhamWWTW is the subject of considerable concern. Southern Water has been using storm-water discharges into Chichester Harbour to overcome capacity problems for years and this has contributed to the declining water quality. While the issue of nitrate discharge may be more difficult to resolve, it is not an excuse for allowing primary treated human waste to exacerbate the problem. Delivery of the proposed development at Southbourne is at least 6yrs away, and the PC will expect appropriate waste-water treatment to be available in good time to serve it.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Headroom\_Monitoring\_for\_Thornham\_WWTW\_January\_22.docx - <https://chichester.oc2.uk/a/stf>  
Thornham\_Position\_Statement\_Nov\_2021.docx - <https://chichester.oc2.uk/a/stg>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Ref point 5. Wording of clauses 4 and 5 in Policy 13 is vague, and it is particularly hard to understand what is meant by clause 5. Delays created by the railway crossings in Southbourne are already a major issue. The Southbourne allocation will require at least the provision of a pedestrian footbridge over the railway line east of the station to facilitate the Green Ring access around the village (land has already been safeguarded at Priors Orchard, see Neighbourhood Plan, Policy SB13c). At best, a road bridge will be required to facilitate traffic movements from the proposed allocation.

**Full text:**

Ref point 5. Wording of clauses 4 and 5 in Policy 13 is vague, and it is particularly hard to understand what is meant by clause 5. Delays created by the railway crossings in Southbourne are already a major issue. The Southbourne allocation will require at least the provision of a pedestrian footbridge over the railway line east of the station to facilitate the Green Ring access around the village (land has already been safeguarded at Priors Orchard, see Neighbourhood Plan, Policy SB13c). At best, a road bridge will be required to facilitate traffic movements from the proposed allocation.

**Change suggested by respondent:**

An additional sentence at the end of clause 4 – “A pedestrian footbridge over the railway line will be required as part of the Green Ring and provision of a separate road bridge will be considered”.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Submission Modified Plan 2014 – 2029, Policy SB13c..docx - <https://chichester.oc2.uk/a/st8>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Ref point 16. Infrastructure - its current shortfalls and poor quality - is another major issue locally. Education and medical services are overstretched and this was evident long before the pandemic. This site specific policy, not just the supporting text, should be clear about what type of facilities will be required and should include reference to medical/health services and retail. “Local employment opportunities” are mentioned in para. 10.52 but not in the policy, so has less weight. Work on the Neighbourhood Plan has shown potential for an enterprise hub with flexible working space.

**Full text:**

Ref point 16. Infrastructure - its current shortfalls and poor quality - is another major issue locally. Education and medical services are overstretched and this was evident long before the pandemic. This site specific policy, not just the supporting text, should be clear about what type of facilities will be required and should include reference to medical/health services and retail. “Local employment opportunities” are mentioned in para. 10.52 but not in the policy, so has less weight. Work on the Neighbourhood Plan has shown potential for an enterprise hub with flexible working space.

**Change suggested by respondent:**

Add into Policy A13.6 “..... community facilities, medical/health facilities, retail, employment and transport in accordance with .....”

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** NP3-SB10-EV10-Employment Conclusions.pdf - <https://chichester.oc2.uk/a/st9>  
Southbourne Parish Neighbourhood Plan, Submission Modified Plan 2014 – 2029, Policy sb10.docx - <https://chichester.oc2.uk/a/stv>  
Southbourne Parish Neighbourhood Plan, Submission Modified Plan 2014 – 2029, Policy sb11.docx - <https://chichester.oc2.uk/a/stb>



**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Seaward Strategic Land Ltd and Owners of Land on Cooks Lane, Southbourne [8034]

**Agent:** Luken Beck MDP Ltd (Mr Ian Johnson) [111]

**Summary:**

Object on grounds that: draft policy wording predetermines how NP/Site Allocations DPD should distribute identified local housing need - inconsistent with 'presumption in favour of sustainable development'; wording of policy assumes single site will come forward whereas number of smaller sites could collectively meet policy requirements with early delivery - Land at Cooks Lane promoted; extent of BLD not considered to offer suitable location for development as likely to lead to coalescence of settlements and have greater impact on setting of AONB and SDNP.

**Full text:**

The draft policy wording predetermines how the emerging Neighbourhood Plan or future Site Allocations DPD should distribute the identified local housing need and associated development. The draft policy is not consistent with the strategic objective of the emerging Plan to meet the local housing needs of the District and apply the 'presumption in favour of sustainable development' (ref. Paragraph 11, NPPF).

We welcome the identification of Southbourne as a 'Strategic Development Location'. This recognises the range of key services and facilities located within Southbourne such as those referred to in the supporting text. Notwithstanding the above we wish to draw the Council's attention to the potential conflict in the draft policy wording with the ability of the emerging Plan to meet the local housing needs of the District and apply the 'presumption in favour of sustainable development' (ref. Paragraph 11, NPPF). Whilst we support the draft policy objective to deliver housing, employment, retail, social and community facilities at Southbourne, the policy wording predetermines how the emerging Neighbourhood Plan or future Site Allocations DPD should distribute the identified local housing need and associated development. The requirement in the wording for development to address all 16 criteria within the BLD assumes a single site will come forward, as opposed to a number of sites which collectively could meet the 16 requirements, if planned for in advance. Proposals for sustainable urban extensions where land is 'available' and 'achievable' in Settlement Hubs such as Southbourne, are a sustainable way to meet the local housing need in the early years of the Plan period and support the long-term vitality of existing communities. A number of smaller sites can collectively bring the benefits of a single major large-scale development, with the added benefit of early delivery, provided a strategic approach to infrastructure delivery is taken and coordinated through the emerging Plan and Infrastructure Delivery Plan. This is recognised in Paragraph 69 of the NPPF where by the important contributions of small and medium sized sites can make in meeting the housing requirements of an area and are often built-out relatively quickly. The 'Land at Cooks Lane' is identified in consecutive versions of the Chichester SHLAAs and HELAAs as 'available', 'achievable' and 'suitable' during years 0-5 of the Plan period. The site is located outside of the AONB and could collectively contribute to Community, Blue and Green Infrastructure and recreation opportunities, such as the 'Green Ring' initiative being carried forward through the Neighbourhood Plan process. It also has the added benefit from proximity to Southbourne Railway Station providing connections to Chichester, Portsmouth/Southampton and the wider region and formal support from Network Rail in relation to the Southbourne level-crossing. In order to meet the housing needs of Southbourne over the Plan period and provide sufficient flexibility to achieve early delivery, should other sites and / or allocations be delayed, the policy wording would also allow development to be dispersed around the settlement to allow the phasing of well-integrated high quality sustainable urban extensions providing good access to facilities and sustainable forms of transport. Through the implementation of the IDP all development proposals would be required make proportionate contributions towards the delivery of the necessary infrastructure in a timely manner. The current wording and approach to the BLD would not achieve this. With regard to the extent of the BLD the entire area shown on the Key Diagram is not considered to offer a suitable location for development within the context of the NPPF. The land to the north of Southbourne and within the landscape gap with Hermitage to the west does not present a suitable location for a single major residential-led development. Such a large scale development in this location would be more likely to lead to coalescence of the two settlements and have a greater impact on the setting of the AONB and National Park than a development to the east, or a series of smaller sites delivering incremental growth and new infrastructure to the urban area.

We welcome the identification of Southbourne as a 'Strategic Development Location'. This recognises the range of key services and facilities located within Southbourne such as those referred to in the supporting text.

Notwithstanding the above we wish to draw the Council's attention to the potential conflict in the draft policy wording with the ability of the emerging Plan to meet the local housing needs of the District and apply the 'presumption in favour of sustainable development' (ref. Paragraph 11, NPPF).

Whilst we support the draft policy objective to deliver housing, employment, retail, social and community facilities at Southbourne, the policy wording predetermines how the emerging Neighbourhood Plan or future Site Allocations DPD should distribute the identified local housing need and associated development. The requirement in the wording for development to address all 16 criteria within the BLD assumes a single site will come forward, as opposed to a number of sites which collectively could meet the 16 requirements, if planned for in advance.

Proposals for sustainable urban extensions where land is 'available' and 'achievable' in Settlement Hubs such as Southbourne, are a sustainable way to meet the local housing need in the early years of the Plan period and support the long-term vitality of existing communities. A number of smaller sites can collectively bring the benefits of a single major large-scale development, with the added benefit of early delivery, provided a strategic approach to infrastructure delivery is taken and coordinated through the emerging Plan and Infrastructure Delivery Plan. This is recognised in Paragraph 69 of the NPPF where by the important contributions of small and medium sized sites can make in meeting the housing requirements of an area and are often built-out relatively quickly.

The 'Land at Cooks Lane' is identified in consecutive versions of the Chichester SHLAAs and HELAAs as 'available', 'achievable' and 'suitable' during years 0-5 of the Plan period. The site is located outside of the AONB and could collectively contribute to Community, Blue and Green Infrastructure and recreation opportunities, such as the 'Green Ring' initiative being carried forward through the Neighbourhood Plan process. It also has the added benefit from proximity to Southbourne Railway Station providing connections to Chichester, Portsmouth/Southampton and the wider region and formal support from Network Rail in relation to the Southbourne level-crossing.

In order to meet the housing needs of Southbourne over the Plan period and provide sufficient flexibility to achieve early delivery, should other sites and / or allocations be delayed, the policy wording would also allow development to be dispersed around the settlement to allow the phasing of well-integrated high quality sustainable urban extensions providing good access to facilities and sustainable forms of transport. Through the implementation of the IDP all development proposals would be required make proportionate contributions towards the delivery of the necessary infrastructure in a timely manner. The current wording and approach to the BLD would not achieve this.

With regard to the extent of the BLD the entire area shown on the Key Diagram is not considered to offer a suitable location for development within the context of the NPPF. The land to the north of Southbourne and within the landscape gap with Hermitage to the west does not present a suitable location for a single major residential-led development. Such a large scale development in this location would be more likely to lead to coalescence of the two settlements and have a greater impact on the setting of the AONB and National Park than a development to the east, or a series of smaller sites delivering incremental growth and new infrastructure to the urban area.

**Change suggested by respondent:**

-

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

Attachments: None

**Object****Document Element:** Policy A13 Southbourne Broad Location for Development**Respondent:** Bosham Parish Council (Parish Clerk, Clerk/RFO) [749]**Summary:**

The proposed allocations within the East/West corridor, would not comply with Policy NE13 and would damage the visual relief to the built up areas and the views between the AONB and the SDNP.

**Full text:**

The proposed allocations within the East/West corridor, would not comply with this policy and would damage the visual relief to the built up areas and the views between the AONB and the SDNP.

**Change suggested by respondent:**

Proposed allocations adjacent to the AONB and impacting on its setting, including views into and from the SDNP should be removed.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy A13 Southbourne Broad Location for Development**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]**Summary:**

Scale of development at Southbourne BLD will be partially dependent on capacity of transport network to accommodate associated traffic. As BLD spans railway line, many traffic movements would need to cross here. Concerned insufficient capacity at existing level crossings (Stein Road) to accommodate additional traffic. Could mean cumulative impact of development on traffic network is severe which is inconsistent with Paragraph 111 of the NPPF. Transport evidence does not provide sufficient assurance that proposed scale of development can be accommodated. Base level of traffic flow has not been compared to local traffic counts, either in initial validation of strategic model or through a new count which WSCC previously requested, assumptions about level crossing downtimes have not been validated against observed data. Concerned that assessment of capacity of local road network to accommodate the quantum of dwellings proposed for BLD may be over-optimistic by underestimating existing flow levels and duration of level crossing downtime. As a consequence, proposed quantum may not be deliverable without unacceptable impacts to conditions on Stein Road and to level of traffic seeking to use rural lanes to the north of village to avoid level crossing.

**Full text:**

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

**Transport Overview**

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.

The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

**Deliverability of Key Infrastructure**

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

## Sustainable Transport Infrastructure &amp; Measures

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

## Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

## 1) Education

## Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments....'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

#### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

#### 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

#### 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

#### 4) Highways and Transport

##### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

##### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

##### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

##### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

##### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

##### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South,

the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes. The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

#### 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere. It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

#### Change suggested by respondent:

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>  
Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

#### Summary:

Object to provision of 12 gypsy and traveller pitches;

Object to provision of travelling showpeople site;

Concerns raised regarding future capacity improvements of Apuldram WwTW;

Propose an amendment to be made to Policy H2 to allow for the provision of circa (or a minimum of) 1,250 dwellings at Southbourne;

Propose removal of need for contributions to CIL and undertake direct commitment to ensure infrastructure improvements to Southbourne.

**Full text:**

We broadly support the sixteen development requirements included within the allocation wording of emerging policy A13; these are briefly addressed in turn below;

Provide an appropriate mix of housing types, sizes and tenures to meet evidenced local need including affordable housing and specific provision to meet specialised housing needs including 16 serviced self/custom build plots, accommodation for older people and accessible and adaptable homes in accordance with relevant Plan policies; The scheme would present an emerging policy compliant mix of housing types and tenures. We would look to work closely with the local community to identify the appropriate location and phasing for self and/or custom build plots within the Masterplan to ensure the plots come forward in a suitable location that has been considered alongside the wider masterplanning exercise.

Provide 12 gypsy and traveller pitches in accordance with Policy H11; Whilst we recognise the need for the provision of G&T pitches within the District; based on the previous discussions with the Neighbourhood Planning group and local community we feel that the Council would benefit from exploring more appropriate areas for new sites and/or the intensification of nearby sites.

Provide a serviced site(s) for travelling showpeople which should deliver 12 plots, each of sufficient size to allow for the provision of accommodation and equipment plus storage/maintenance, in accordance with Policy H11; As above.

Provide a suitable means of access to the site(s), securing necessary off-site improvements (including highways) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options; The comprehensive masterplanning approach that has been and will continue to be taken with the scheme will ensure a cohesive layout and access arrangement to best integrate with the existing community. Paragraphs 2.20-4 above outline our recommendation to the Council with regards to infrastructure improvements and we maintain that the most effective way of securing on- and off-site improvements is to place the onus on the developer to ensure their delivery and integration with the local community.

Provide any required mitigation to ensure there is no adverse impact on the safety of existing or planned railway crossings; Any submission will be supported by a robust transport assessment and mitigation strategy.

Ensure adequate provision of supporting infrastructure including education provision, community facilities and transport in accordance with the most up to date Infrastructure Delivery Plan; We support the need for supporting infrastructure, which forms a primary objective of the proposals on last east of Southbourne. We feel that their delivery will be most appropriately secured outside of the limitations of CIL.

Give detailed consideration of the impact of development on the surrounding landscape, including the South Downs National Park and Chichester Harbour AONB and their settings. Development should be designed to protect long-distance views to the South Downs National Park; We support the desire to protect these areas and their settings. Any submission will be supported by a full landscape and visual impact assessment to demonstrate that the scheme east of Southbourne can be a cohesive visual element into the existing built form of the village and avoid any element of incongruousness or harmful impact on the surrounding protected areas.

Ensure that multifunctional green infrastructure provision is well related to the overall layout and character of the development as well as providing opportunities to extend into the wider countryside and surroundings; The proposed scheme to the east of Southbourne would be capable of delivering a significant portion of the Green Ring, originally allocated in the Southbourne Neighbourhood Plan 2015. The Consortium is also supportive of a central feature through the site and the approach to align the Green Ring with the north-south public right of way which connects with the green infrastructure on the eastern edge of the neighbouring Cooks Lane development. This approach would allow the green ring to be cohesive with the neighbouring green infrastructure, whilst also maintaining the public rights of way, in conformity with paragraph 98 of the NPPF. Whilst this central 'Inner' Green Ring could include play, gym trail, walking and cycling, benches and a variety of greenspace (amenity and natural), which would create a varied and engaging corridor, we would work with the Neighbourhood Plan Group to identify the best mechanism to position sports and allotments through a masterplanned approach.

Demonstrate that development would not have an adverse impact on the nature conservation interest of identified sites and habitats including the strategic wildlife corridors; We support the desire to protect key habitats and the scheme will be informed by extensive habitat surveys and mitigation strategies.

Provide mitigation to ensure the avoidance of adverse effects on the SPA, SAC and Ramsar site at Chichester Harbour including contributing to any strategic access management issues, loss of functionally linked supporting habitat and water quality issues relating to runoff into a European designated site; We echo the need to avoid adverse effects on the SPA, SAC and Ramsar site at Chichester Harbour and all necessary mitigation will be provided on- and off-site where required.

Protect any other key views; We support the desire to protect the key views of the wider area. Any submission will be supported by a full landscape and visual impact assessment.

Ensure that allocations and policies accord with the sequential approach to flood risk, and that development will be safe for its lifetime, taking account of climate change impacts, as per the requirements set out in national policy and having due regard to the council's latest Strategic Flood Risk Assessment; We support this requirement and discussions with the Environment Agency and the LLFA will inform the most effective flood mitigation and drainage strategy for the site.

Ensure sufficient capacity within the relevant wastewater infrastructure before the delivery of development as required; Addressed in Paragraphs 2.5-10 above, we have concerns regarding the emerging plan's wording around the future capacity improvements of WwTW in the Apuldrum catchment.

Demonstrate that development would not have an adverse impact on the significance of heritage assets or their settings; Any submission will be supported by a full heritage assessment and the layout and scale will be adjusted accordingly to best protect any nearby heritage assets.

Maintain the character and integrity of existing settlements and provide clear separation between new development and neighbouring settlements including through the definition and protection of landscape gaps. The consortiums approach allows for the masterplan to be designed to best protect the existing settlement of Southbourne from any coalescence with surrounding hamlets. The location of development to the east of the village and the inclusion of the Green Ring is the most appropriate and effective way to protect the village's visual separation and identity.

Consider the Minerals Safeguarding Area and in line with the West Sussex Joint Minerals Local Plan, a minerals resource assessment may be required to assess if the land contained a mineral resource that would require extraction prior to development. Account should also be taken of the West Sussex Waste Local Plan and associated guidance in relation to safeguarding policy W2. We support this inclusion, and any proposal will be accompanied by a minerals resource assessment if needed.

In general, we support the comprehensive masterplanning approach for development in Southbourne. Our proposals are the result of a complete collaboration between landowners and reiterate that the Consortium has always maintained a desire to deliver a comprehensive development that secures substantial benefits to the existing community. It is obviously important that any landowners included within the proposed allocation are required to work collaboratively with others and the local community, sharing the overall infrastructure and policy requirements fairly and proportionately.

We strongly support an amendment to be made to Policy H2 to allow for the provision of circa (or a minimum of) 1,250 dwellings at Southbourne. The accompanying sustainability appraisal, discussed later, supports a larger quantum of development on this site, with benefits realised of accessibility, environmental quality, climate change mitigation, community enhancement, health, historic environment and landscape. A major element of our proposals at Southbourne are in the infrastructure and community improvements to the local residents and increasing the overall housing numbers by less than 20% on this site is key in the wider delivery of package of the infrastructure improvements associated with the scheme.

There is no intention to deliver piecemeal development proposals within the area, which would likely prejudice the delivery including infrastructure delivery. We maintain the most effective way to ensure the infrastructure improvements associated with the scheme would come forward at an effective and appropriate time would be to remove the need for the proposals to contribute to CIL and instead have a direct commitment between the scheme and the improvements to Southbourne.

**Change suggested by respondent:**

We strongly support an amendment to be made to Policy H2 to allow for the provision of circa (or a minimum of) 1,250 dwellings at Southbourne; Propose removal of need for contributions to CIL and undertake direct commitment to ensure infrastructure improvements to Southbourne.

Legally compliant: Yes

Sound: No

Comply with duty: No

Attachments: 27783 A5 OH RS Regulation 19 Reps FINAL.pdf - <https://chichester.oc2.uk/a/s9r>  
27783 A5 Regulation 19 Reps Final w Appendices - <https://chichester.oc2.uk/a/t8w>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Hallam Land Management Limited [1696]

**Agent:** LRM Planning Ltd (Miss Kate Coventry, Senior Planner) [6627]

### Summary:

Disappointing to see phrase "a minimum of" has been removed. Conflicts with flexibility, reduces potential of making effective use of land for housing that will assist in meeting overall need. Allocation of 1,050 dwellings is in part, appropriate. However, policy should allow for delivery of small or medium scale parcels of land, in accordance with NPPF at early stage of delivery of wider allocation to enable prompt and timely housing at Southbourne whilst infrastructure upgrades are commenced. Identify and allocate smaller scale sites to ensure these can come forward early in plan period. See amendments proposed.

Key Diagram suggests new development is to be located to west and east of Southbourne, remedying previously unsuccessful approach of focusing development only to the east. Similarly, the Key Diagram acknowledges need for development to south of railway line, facilitating development north of railway line.

### Full text:

#### 1 Introduction

1.1 These Representations have been prepared on behalf of Hallam Land Management Limited (hereafter 'Hallam'), in response to the Chichester Local Plan Review Proposed Submission Plan consultation.

1.2 Hallam is a strategic land promotion company operating throughout England, Wales and Scotland delivering land for new employment and commercial premises, housing, including specialist elderly housing, and mixed-use developments. Hallam has been acquiring, promoting, developing and trading in land since 1990. During that time, the company has established an outstanding record in resolving complex planning and associated technical problems in order to secure planning permissions for a whole range of different land uses to facilitate the delivery of new development.

1.3 Hallam control land to the west of Southbourne, to the north of the A259 and south of the railway line. Development of this land for new housing including specialist elderly accommodation, as shown in the accompanying Vision Document, would be consistent with the established Spatial Strategy; which is rightly retained in the consultation document. Similarly, development would contribute towards meeting the future housing needs of the District within the proposed Broad Location for Development (BLD) at Southbourne.

1.4 These Representations set out our support for the BLD drawn on the key diagram to the west and east of Southbourne. However, Hallam are seeking amendments to Policies S1, H1, H2, H8 and A13 to ensure that: the overall housing needs are met across the District, including early delivery and specialist accommodation; the flexibility sought early in the Submission Plan, at Policy S2 and H1, is carried through to the strategic allocations and locations; and, the BLD is distributed to the west and east of Southbourne.

1.5 Moreover, Hallam are proposing the allocation of small and medium scale sites at Southbourne within the Local Plan, to enable early delivery of housing and infrastructure, with the land under their control a suitable site for this allocation. Should the Council not allocate these sites, then the strategic allocations/locations policies need to be updated to reflect the requirement for the delivery of small and medium scale parcels which could form part of the larger sites.

1.6 In the context of the above, it is instructive to note that Chichester District has an older population than national average, which has been predicted to increase by 42% between 2021- 2039. The increasing need for specialist accommodation should be addressed through specific allocations within the Local Plan, rather than the proposed approach of Policy H8.

1.7 Our response is focused on the following matters:

- The Spatial Strategy, settlement hierarchy and the distribution of development across the District;
- The overall amount of new housing required within the new plan period;
- The need for specialist accommodation;
- The status of Southbourne and the role and function it plays; and
- The strategic allocation proposed at Southbourne in Policy AL13.

1.8 In preparing the Local Plan Review, the Council will need to ensure that it complies with paragraph 35 of the National Planning Policy Framework (NPPF) (2021) which sets out four tests to ensure the plan is 'sound'. These are as follows:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet needs from neighbouring areas are accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross- boundary strategic matters that have been dealt with rather than deferred, as evidenced by statements of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.9 We are mindful that the Government has recently published a consultation concerning potential amendments to the NPPF. Paragraph 1 of that consultation document indicates that the government is committed to "building more homes" whilst Paragraph 6 explains that the government "remains committed to delivering 300,000 homes a year by the mid-2020s".

1.10 In the proposed revisions, paragraph 1 makes clear that the NPPF provides "a framework within which locally-prepared plans can provide for sufficient housing and other development in a sustainable manner." At paragraph 60 the overall aim of a Local Plan is identified as meet[ing] as much housing need as possible with an appropriate mix of housing types to meet the needs of communities.

1.11 It is clear therefore that the potential amendments to the NPPF firmly intend that Local Plans, including this one, continue to provide a sufficient supply of housing land to meet identified needs.

## 2 Objectives and Spatial Strategy

### Objectives of the Local Plan

2.1 The Submission Plan has identified key challenges and opportunities that influence future planning, across the three areas of the District, and how it aims to address these through planning policies and proposals.

2.2 Within the consultation document, the strategic objectives presented by the Council are structured into specific categories, ensuring housing and neighbourhood objectives are clearly set out for the plan period.

2.3 Amongst these is the objective to increase housing supply; increase provision of affordable housing; and promote the development of mixed, balanced and well-integrated communities. These are consistent with the NPPF's policy objective to significantly boost the supply of housing in paragraph 60. In this context, it is right that the Local Plan's development strategy is founded on this objective, ensuring sustainable development which responds to social, economic and environmental considerations that meets the needs of the plan area.

2.4 These objectives frame the policies and proposals for future development across the plan area to create sustainable neighbourhoods; this demonstrates, as a matter of principle, that the Local Plan intends to be positively prepared and justified, albeit there are limitations on how this is achieved in practice when the policies and proposals are considered.

2.5 The NPPF states at paragraph 22 that strategic policies should look ahead over a minimum 15 year period from the date of the Plan's adoption. The Local Plan aims to cover the period of 2021- 2039, which is 18 years. However, this plan has not been adopted yet and it is considered unlikely that this Local Plan will be adopted before 2024-25. Therefore, the Plan may not cover the required plan period of 15 years and the Council should extend the plan period to at least 2040 to ensure this requirement is met.

Policy S1: Spatial Strategy

2.6 The Spatial Strategy is accompanied by the Key Diagram (Map 3.1), identifying the distribution of development and infrastructure provision across the plan area.

2.7 The strategy aims to build on the existing Local Plan, focusing growth at Chichester city, as the main sub-regional centre, and at two settlement hubs along the east-west corridor at Tangmere and Southbourne.

2.8 Policy S1 specifically identifies the broad approach to providing sustainable development, in accordance with the Local Plan Objectives, ensuring development is focused principally along the east-west corridor. It aims to distribute development in line with the settlement hierarchy, ensuring development is located in the larger and more sustainable settlements.

2.9 This accords with paragraph 20 of the NPPF which requires strategic policies to set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for housing, infrastructure, community facilities along with policies that seek to conserve and enhance the environment.

2.10 Paragraph 105 of the NPPF states that the planning system should actively manage patterns of growth in support of these objectives. With significant development being focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

2.11 Paragraph 69 of the NPPF sets out how small and medium scale sites can make an important contribution to meeting the housing requirement. Part d) identifies how working with developers to encourage the sub division of large sites could help to speed up the delivery of homes.

2.12 In this context, Policy S1 (6) outlines how non-strategic provision is made for small scale housing developments consistent with the indicative housing numbers set out in Policy H3, however this does not identify an approach to medium scale sites. Consequently, the Local Plan should allocate small and medium scale sites for residential development.

2.13 Should the Local Plan not allocate these scale sites, then there should be parcels within the BLDs identified as medium scale sites for early delivery in the plan period without prejudicing the BLDs. Policy S1 should be amended to include medium scale sites and to require flexibility to the housing target. This is discussed further in respect of Policy A13.

2.14 Policy S1 (7) states that strategic allocations and locations will be made through either this emerging Local Plan, the extant Site Allocation Development Plan 2014-2019 (or subsequent Site Allocation Development Plan Document (DPD)) and through Neighbourhood Plans. Notwithstanding the allocations in the emerging Local Plan, the most appropriate future mechanism is the Site Allocations DPD, which has to meet the 'tests of soundness' rather than 'basic conditions'. This more rigorous approach to plan making is better able to address the site selection process and assessment of delivery requirements that a strategic allocation will need to demonstrate, particularly when taking account of the scale of growth proposed at Southbourne.

2.15 Lastly, the final paragraph of Policy S1 states that to ensure that the Plan's housing requirement is delivered, "the distribution of development may need to be flexibly applied, within the overall context of seeking to ensure that the majority of new housing is developed in accordance with this Strategy". The wording of this should be amended to state flexibility will be needed rather than may be needed, to ensure there is the ability to mitigate delays on allocations being brought forward by alternative proposals in order to meet the housing requirement over the plan period.

2.16 The use of the Authority Monitoring Report to control this is considered an acceptable approach, and policies A6 to A15 should reflect this requirement for flexibility. In practical terms, the LPA will need to consider performance in bringing forward and delivering large-scale development and enable alternative solutions where the required outcomes are not being achieved. This is discussed later in relation to Policy A13 specifically.

Policy S2: Settlement Hierarchy

2.17 The consultation document sets out a Settlement Hierarchy which is to serve as the framework for the Council to achieve its vision for the plan area, meet the scale of development required and enhance the quality of the built natural, historic, social and cultural environments, whilst sustaining the vitality of communities. This hierarchy seeks to deliver sustainable development that will support the role and function of different places within the plan area.

2.18 In this regard, Policy S2 is consistent with the NPPF acknowledging how "significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, improve air quality and public health." (paragraph 105 refers). The Settlement Hierarchy ensures that new development is located in areas where residents have access to facilities and services and a range of public transport networks.

2.19 Chichester city is identified as the Sub-Regional Centre, with four Settlement Hubs being identified at East Wittering/Bracklesham; Selsey; Southbourne and Tangmere. This is a continuation of the existing spatial strategy in the Adopted Local Plan and consistent with the principle of locating new development at the most sustainable locations.

2.20 Southbourne is rightly identified as a Settlement Hub due to its range of local services and facilities, key public transport connections and employment/educational opportunities accessible via non vehicular methods of travel. The approach to Southbourne is discussed later at Section 4 and at Policy A13.

2.21 Accordingly, this strategic policy is positively prepared and justified, and is consistent with national policy promoting sustainable patterns of development.



### 3 Overall amount of Housing

#### Policy H1 Meeting Housing Needs Housing Need

3.1 Paragraphs 60 and 61 of the NPPF state that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance.

3.2 Only in exceptional circumstances could an alternative approach be justified. But even then, that alternative approach will also need to reflect current and future demographic trends and market signals.

3.3 Policy H1 identifies the need for the Plan to make provision for at least 10,350 dwellings within the plan period, amounting to 575dpa.

3.4 This is lower than both a. the standard method figure of 638 dpa; and, b. the Preferred Approach figure in the previous consultation, of 650 dpa which included accommodating some unmet need arising from the South Downs National Park (SDNP) area. This shortfall will amount to over 1,100 dwellings across the plan period. Without any Statements of Common Ground being published by the Council or evidence of the shortfall being accommodated elsewhere, this remains unaddressed.

3.5 It is highly germane that the current Local Plan adopted a lower housing figure than the identified need of 505dpa, proposing instead to deliver 435dpa.

#### Affordability in Chichester

3.6 The affordability ratios have risen from 12.38 in 2015, when the current Local Plan was adopted, to 14.61 in 2021 for Chichester, which is significantly higher than the current 9.1 national average, increasing the need for affordable housing within Chichester.

3.7 Between the 2011 and 2021 census, the number of people ages 50 to 64 years rose by over 3,100 (an increase of 13.4%), while the number of residents between 35 and 49 years fell by approximately 1,900 (8.5% decrease).

3.8 Chichester's worsening affordability ratios and aging population, which typically occurs in line with house price increases, demonstrate the clear need to increase the housing delivery to meet current and future needs (in line with the NPPF), and maximise the potential for housing in this District. The current strategy to suppress housing provision will only exacerbate these problems.

3.9 With the Submission Plan proposing to not meet the identified need, this once again will be an issue which moves onto the next Local Plan, failing to tackle key issues across the District such as affordability and lack of housing land supply. These issues cannot simply be moved onto the next Local Plan, they should be addressed now.

#### Constraints for development

3.10 The lower figure of 575dpa reflects both the infrastructure constraints along the A27 and at the

Waste Water Treatment Works, but also no longer accommodating unmet need from SDNP.

3.11 The Transport Study (January 2023) assesses the capacity levels, with particular focus on the A27. Although the Council state that 535dpa is the highest level of development per year achievable, the conclusions of this latest Study state, at paragraphs 5.6.5 and 11.2.3, that development of 700 dpa could be accommodated (in the southern plan area) through the mitigation proposed in the previous scenario of 535dpa with some additional mitigation at the Portfield and Oving roundabout.

3.12 This Transport Study (2023) was published following the preparation of the Sustainability Appraisal which refers to the 2018 study, therefore the latest evidence on highways matters has not been considered within the preparation of this Local Plan.

3.13 This is fundamental to the Plan's approach – increasing the housing requirement could assist with funding those additional highway improvements, in line with the recommendations of the Transport Study at Section 9.3 to prioritise junctions to avoid delays to housing delivery. This should be further reviewed by the Council to ensure the District's need is not being understated. It is recommended the housing need figure is reviewed in line with this evidence and the need to meet the minimum of the standard method figure of 638dpa, and aim to return to the 650dpa previously proposed.

#### Duty to Co-Operate

3.14 Paragraph 24 of the NPPF outlines the need for co-operation between local planning authorities on strategic matters that cross administrative boundaries.

3.15 The East Hampshire Local Plan Review has identified 100dpa for the SDNP area of the District, below the identified need of 112dpa for the District's area and the overall requirement of 447dpa for the SDNP (Housing and Economic Development Needs Assessment 2017). In effect, in combination with Chichester, the National Park is needing to accommodate some 30 more dwellings per annum without any assessment as yet as to whether this can be achieved given the statutory protection that is afforded to it.

3.16 Whilst a Statement of Common Ground is referred to, it has not been published and therefore it is not possible to determine whether the decision not to make a provision for the National Park area is soundly based.

3.17 Previous evidence for the Preferred Approach demonstrated how the figure of 650dpa was achievable and necessary to help with the worsening affordability ratios across Chichester and the neighbouring authorities. Having removed provision for unmet need it is considered this plan has not been positively prepared.

#### Summary

3.18 Policy H1 clearly sets out how the majority of housing is to be delivered along the east-west corridor, with 535dpa in the southern plan area and 40dpa in the northern plan area. This is consistent with the Spatial Strategy and the Settlement Hierarchy, Policies S1 and S2, and the overarching objective of locating new housing at the most sustainable locations in the plan area.

3.19 By limiting the amount of housing there will be fewer schemes contributing to the required infrastructure improvements. Without developer contributions to fund wholesale upgrades to this infrastructure there is a risk of pushing the problem down the line for the next Local Plan to address, whilst problems with affordability and an aging population are further exacerbated.

3.20 All future schemes will be required to mitigate their impact on infrastructure including highways and utilities, and there is an opportunity for small to medium scale sites to be delivered in the short term whilst the larger allocations and/or the majority of the larger allocations await the upgrading of these works.

3.21 Currently, the proposal to reduce the overall housing supply for the new plan period is not supported, and the Council should review the Transport Study with the intention of meeting the assessed level of local housing need in full. Without the identified housing requirement being met in full the problem of the younger population being unable to afford to remain in Chichester will continue, further growing the gap in workforce and an increasingly aging population.

3.22 Therefore, this policy is not positively prepared, justified or consistent with the NPPF.

Policy H2 Strategic Locations/Allocations 2021-2039

3.23 The wording of 'at least' within Policy H1 provides flexibility on the ability to achieve the minimum amount of housing considered necessary by the Council, in line with Policy S2. Although this quantum is not agreed, the approach using 'at least' is considered a sensible approach to allow the achievement rather than under delivery of much needed open and market housing.

3.24 The strategic locations/allocations set out in Policy H2 do not reflect this flexible approach. Instead, the sites are fixed as exact number of dwellings for those locations.

3.25 Paragraph 119 of the NPPF requires planning policies to promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

3.26 Policy A13 is a BLD and is fixed at 1,050 dwellings within Policy H2, this does not allow for the masterplanning approach to further assess the actual capacity and the best use of this land.

3.27 As such flexibility should be embedded into the wording of Policy H2 to ensure that the intention of Policy S2 is achieved; the housing target of at least 10,350 dwellings across the plan period (Policy H1) is met; and the land identified for development is most effectively used.

3.28 Therefore, it is suggested that Policy H2 includes the wording "at least" before the quantum of development for any strategic location or allocation. For example, Policy A13 would instead state "at least".

Policy H8 Specialist accommodation for older people and those with specialised needs

3.29 National Planning Practice Guidance for Housing for Older and Disabled People states how plan-making authorities should set clear policies to address the housing needs for groups with particular needs such as older and disabled people.

3.30 The Housing and Economic Development Needs Assessment (HEDNA) (April 2022) assesses the period between 2021-2039 for older people and those with a disability.

3.31 This concludes that there will be a 42% increase in the population above 65 years old, amounting to 67% of the total population growth.

3.32 The HEDNA sets out how the East-West Corridor has a higher percentage of over 65 year olds (24.7%) compared to both Chichester City (24.2%) and the Plan Area North area (23.4%).

3.33 The needs arising from this, amounts to between 2,131 and 2,872 additional dwellings with support or care, and a need for 429-800 additional nursing and residential care bedspaces. This equates to approximately 17-24% of all homes needing to be some form of specialist accommodation for older people.

3.34 In this context, the HEDNA makes an important recommendation that the Council allocate specific sites for housing with care to ensure the identified needs are met. In contrast Policy H8 is a criteria based policy that seeks specialist accommodation for older people on housing sites over 200 units based on evidence of local need.

3.35 As written, there is no confirmation on the quantum of specialist accommodation that this policy or other site allocations will secure and how the specific need for each application is calculated. Policy H8 fails to address the identified overall need clearly, as required by National guidance. Therefore, it is recommended the Local Plan allocates sites to deliver this type of accommodation as intended by the HEDNA.

3.36 This approach risks the land on these sites being unable to deliver both the expected market/affordable housing and the specialist accommodation on site.

3.37 The land under Hallam's control would be a suitable site for this type of accommodation, which is situated along the east-west corridor in a sustainable location on the edge of Southbourne.

#### 4 Southbourne

4.1 Southbourne is a key area in the District, in terms of existing development, its status as a Settlement Hub and its potential to accommodate future development.

Role of Southbourne

4.2 Southbourne is identified as a Settlement Hub within Policy S2.

4.3 Southbourne is located within the east-west corridor with a range of existing facilities, good transport links, and employment opportunities both to the east and the west.

4.4 As set out in the Submission Plan, Southbourne has good access to educational facilities serving the residents, including primary schools, junior schools and secondary schools. There are a number of convenience stores and other community services and facilities such as a GP practice, pharmacy and places of worship.

4.5 The Bourne Community Leisure Centre provides local residents with access to community sports facilities. Access to public open space is also good through connections to Southbourne Recreation Ground. There is potential for more open space to be provided for local residents within the Local Plan Review and the strategic allocation proposed and this approach is embedded within our own Vision Document.

4.6 A key focus of the Sustainability Appraisal and the Submission Plan is for schemes to promote a modal shift in transportation. The strong public transport links within Southbourne to the wider surrounding area allows access to employment opportunities within the east-west corridor. Southbourne has strong public transport connections to the local and wider area, through bus and train services, to areas including: Chichester, Portsmouth, Havant, Littlehampton, Brighton, Southampton and London.

4.7 For these reasons, Southbourne is rightly designated as a Settlement Hub and is eminently suitable to serve as a BLD.

4.8 The Southbourne Level Crossing Report May 2021 analyses the options for delivering the railway crossing at Southbourne. It concludes that circa 750 dwellings can be delivered north of the railway line before triggering the requirement for a new crossing. The report highlights how sites south of the rail line are not likely to impact on the level crossing and can therefore be delivered earlier than await the railway line improvements.

4.9 Therefore, in this context it would be appropriate to allocate small and medium scale sites to the south of the railway, which is less constrained by the capacity restriction on the railway crossing.

4.10 The land under Hallam's control is to the south of the railway line, would help facilitate a future new railway crossing to the north of the site, and would be of a medium scale to deliver housing early in the period plan.

Strategic Allocation A13

4.11 The Key Diagram appears to suggest that new development is to be located to the west and east of Southbourne, remedying the previously unsuccessful approach of focusing development only to the east. Similarly, the Key Diagram acknowledges the need for development to the south of the railway line, facilitating development north of the railway line. It is recommended the wording of the policy should be updated to reflect this diagram, as suggested below:

Provision will be made for a mixed use development within the broad location for development to the west and east of Southbourne, as shown on the Key Diagram.

4.12 Previously, the Preferred Approach consultation document set out at Policy AL13 a minimum of 1,250 dwellings at Southbourne and to be identified in the revised Southbourne Neighbourhood Plan. (emphasis added)

4.13 The Submission Plan now allocates Policy A13 for 1,050 dwellings and will be established through the making of allocation(s) in the future Site Allocation DPD or the revised Southbourne NP. This strategic allocation is to act as a mixed use extension to the existing settlement.

4.14 It is acknowledged that the land north of Cooks Lane (Application number: 22/00157/REM) received Reserved Matters approval in August 2022 for 199 dwellings, with the reduction in quantum of development for the BLD reflecting this committed development. A practical effect of this is that this consent will not contribute to the wider infrastructure requirements associated with a larger scale of development.

4.15 It is disappointing to see the phrase "a minimum of" has been removed. This conflicts with the flexibility set out earlier in the consultation document, and also reduces the potential of making effective use of the land for housing that will assist in meeting the overall need of the District.

4.16 Policy A13 prescribes a number of requirements that must be met (criterion 1 – 16). These are considerations that reflect principles of place making and sustainable development and provide a sound framework for the preparation of the allocation through either mechanism.

4.17 One of these requirements states that future development "Provide[s] any required mitigation to ensure there is no adverse impact on the safety of existing or planned railway crossings." The existing Southbourne Neighbourhood Plan, at Objective 9, outlines the issues relating to the railway crossing and the plans for addressing this challenge in the future.

4.18 Related to this is the need for the provision of "suitable means of access to the site(s), securing necessary off-site improvements (including highways) ... to promote sustainable transport options."

4.19 The combination of the requirements relating to the railway crossing and the provision of a suitable means of access show the importance of accessibility to the A27, A259 and the east-west railway line, which are the principal public transport corridors for Southbourne.

4.20 Development will be well connected to Southbourne via footway and cycle connections to the east and offers the opportunity to help realise the construction of a new strategic road and bridge link over the West Coastway Rail Line through provision of land and proportionate contributions to this scheme.

4.21 Criteria 13 ensures there will be sufficient capacity within the relevant wastewater infrastructure before the delivery of development, which addresses (for Southbourne) the identified constraints for the District in relation to housing delivery.

4.22 The remaining requirements of Policy A13 cover the quality and range of development, the provision of education, community and transport facilities, provision of public open space and green infrastructure, and the impact of development on the landscape. These are each appropriate considerations for the Site Allocations DPD.

4.23 Having regard to the above, the allocation of 1,050 dwellings for Southbourne is, in part, appropriate.

4.24 However, this policy should allow for the delivery of small or medium scale parcels of land, in accordance with the NPPF at an early stage of delivery of the wider allocation to enable prompt and timely housing at Southbourne whilst infrastructure upgrades are commenced. The Local Plan should identify and allocate these smaller scale sites to ensure these can come forward early in the plan period.

4.25 A new criteria is proposed to be included in the wording of Policy A13, stating:

(17) To identify land for early delivery on small to medium scale sites which are not constrained by the need for a new railway crossing.

4.26 Therefore, the principle of a strategic allocation for mixed use housing is considered appropriate but amendments should be made to the wording of the policy to reflect the approach to flexibility, the inclusion of small and medium scale sites, and the dispersion of development to both the west and east of Southbourne.

Southbourne Neighbourhood Plan

4.27 As set out in the paragraph 10.56 of the Submission Plan, development phasing is a key issue to address through the allocation of development sites for this BLD.

4.28 Paragraph 70 of the NPPF states that "Neighbourhood planning groups should also consider the opportunities for allocating small and medium-sized sites suitable for housing in their area." Southbourne Parish Council should be aware of this when allocating the strategic sites, to ensure that there are a mix of housing sites, that could come forward sooner than the principal element of the larger strategic site.

4.29 Through the preparation of the Neighbourhood Plan, the Parish Council should take into account the allocation of smaller sites, which could come forward as part of and alongside the larger strategic site. This will ensure that there is not a delay in the provision of housing within Southbourne and the plan area.

4.30 As set out previously, the most suitable mechanism for progressing the Southbourne BLD would be the Site Allocation DPD. Whether the sites are allocated through the Site Allocations DPD or the NP, there is a requirement to identify small and medium scale site.

Land to the north of Gosden Green

4.31 The land under Hallam's control to the north of Gosden Green, should either be allocated in the Local Plan as a medium scale site or should be a key component of the BLD. The site can deliver both market/affordable residential units and specialist elderly accommodation. The site will create flexibility in achieving the housing requirement of the plan area early on in the plan period.

4.32 The accompanying Vision Document demonstrates how as an early development parcel for the wider BLD, a series of key benefits in accordance with the 13 criteria of Policy A13 will be achieved.

4.33 The Proposed Submission Plan at Policy H8 identifies the need for specialist accommodation for older people and those with specialist needs. Although not set out in the Vision Document, this site can deliver, early in the plan period, much needed specialist elderly accommodation.

4.34 Figure 3 of the Vision Document presents the scheme's ability to connect into a wider masterplan for the strategic development, as it comes forward in the future. However, at the same time has the ability to come forward at an earlier rate being physically unconstrained and a well contained parcel of land.

4.35 Figure 9 provides context on connectivity, and the modal shift this scheme aims to achieve. The ability to walk to a range of services and facilities, including the train station further demonstrates the ability for the early delivery of this parcel of the BLD.

4.36 The impact of the highways network has been assessed for both a full residential scheme and specialist elderly housing, highlighting how the residential scheme will introduce approximately 55 new vehicles to the network at peak times, resulting in less than 1 car per minute in the peak hour. Either scheme will have a negligible impact on the highway network and would have a negligible impact on A27.

4.37 The site is to the south of the railway line, as previously mentioned, and would be unconstrained by the capacity constraint of the existing railway crossing.

4.38 For these reasons, the land under Hallam's control should be allocated within the Local Plan.

## 5 Conclusion

5.1 These representations are submitted on behalf of Hallam Land Management Limited.

5.2 In the context of national, local and neighbourhood planning policies, the Local Plan has an important role in providing policies and proposals for residential development to meet future needs.

5.3 The proposed objectively assessed need for housing across the plan area is not agreed, and the Council should review the latest transport evidence which currently do not demonstrate how there are exception circumstances, in accordance with paragraph 62 of the NPPF. The Council should also extend the plan period to ensure it meets the requirements of a minimum of 15 years in the NPPF.

5.4 Consistent with the established strategy to focus development in the District's east-west corridor, the Broad Location for Development to Southbourne as a Settlement Hub is, as a matter of principle, a sound proposition. Importantly the Key Diagram identifies the broad location for this development to the west and east of the settlement.

5.5 As discussed, there should be flexibility embedded into all strategic allocations, in particular those which are Broad Locations for Development through the use of the wording "at least". This will ensure that the "at least" quantum of housing delivery is met and affords flexibility to all housing sites coming forward.

5.6 The responsibility for allocating additional development land to meet this requirement has been given to either the Parish Council through the preparation of a new Neighbourhood Plan or through the Council reviewing the Site Allocations DPD. It is recommended that for the larger strategic allocations and locations the Site Allocations DPD is the more suitable mechanism for identifying land given the need to ensure that proposals are sound.

5.7 Whilst the scale of development proposed is strategic in nature, it is entirely appropriate to consider how different development parcels might contribute towards that and in particular early opportunities that facilitate larger scale development later in the plan period.

5.8 To this end, land to the west of Southbourne and south of the railway line could be allocated as the first phase of the strategic site allocation, as a medium size site, so that this southern section of the new link road is built to enable access to land to the north. This will reduce the pressure placed on the centre of Southbourne, the highway capacity on the A27, and the existing railway crossing.

5.9 By allocating small to medium scale sites in the Local Plan, this will bring forward development at a quicker pace and ensure that the objectively assessed needs for housing across the plan area are met each year. These can be delivered without prejudice to the larger strategic allocations and locations.

5.10 Currently, the Submission Plan fails to address the increasing need for specialist accommodation, with Policy H8 failing to secure specific delivery of such housing, instead moving this matter into major development schemes with no mechanism for assessing need at that stage. It is recommended that the Local Plan allocates sites for specialist accommodation.

5.11 Hallam control land to the west of Southbourne, which adjoins the land at Gosden Green which has already been built. The land controlled by Hallam could be: allocated as a medium scale site within the Local Plan; included as part of the western strategic allocation of Broad Location for Development at Southbourne; or could be allocated for specialist elderly accommodation, ensuring land is readily available for development early in the plan period to address identified needs.

5.12 This would be consistent with the development strategy for the Plan and positively contribute towards meeting future development needs of the plan area.

5.13 These representations have demonstrated that in part the Submission Plan has been positively prepared and justified, however the key recommendations in these Representations should be followed to ensure the plan preparation accords with Paragraph 35 of the NPPF.

### Change suggested by respondent:

It is recommended wording of policy should be updated to reflect key diagram: "Provision will be made for a mixed use development within the broad location for development to the west and east of Southbourne, as shown on the Key Diagram."

A new criteria is proposed to be included in the wording of Policy A13: "(17) To identify land for early delivery on small to medium scale sites which are not constrained by the need for a new railway crossing."

Propose land to north of Gosden Green should either be allocated in Local Plan as medium scale site or should be a key component of BLD.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sgn>  
Vision Document - <https://chichester.oc2.uk/a/sgy>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

Chichester Harbour Conservancy is seriously concerned about this allocation. The NPPF states "The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas." To further urbanise the boundary would have a disastrous impact on the AONB designation. The Conservancy cannot support Policy A13 without knowing further details about the location of the development, the mitigation measures, etc. Furthermore, as with A11 and A12, the Policy may conflict with other draft Policies in the Local Plan.

**Full text:**

Chichester Harbour Conservancy is seriously concerned about this allocation. The NPPF states "The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas." To further urbanise the boundary would have a disastrous impact on the AONB designation. The Conservancy cannot support Policy A13 without knowing further details about the location of the development, the mitigation measures, etc. Furthermore, as with A11 and A12, the Policy may conflict with other draft Policies in the Local Plan.

**Change suggested by respondent:**

Until there is greater clarity as to the impact of the allocation on the AONB, the Conservancy must Object.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** CHC Response 2019 A13.pdf - <https://chichester.oc2.uk/a/sw9>

## Support

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

As the specific site is not allocated, we are supportive of policy requirement 12 that allocations take a sequential approach to flood risk.

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 13).

**Full text:**

As the specific site is not allocated, we are supportive of policy requirement 12 that allocations take a sequential approach to flood risk.

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 13).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object****Document Element:** Policy A13 Southbourne Broad Location for Development**Respondent:** Seaward Strategic Land Ltd and Owners of Land on Penny Lane, Hermitage [8035]**Agent:** Luken Beck MDP Ltd (Mr Ian Johnson) [111]**Summary:**

Object on grounds that: draft policy wording predetermines how NP/Site Allocations DPD should distribute identified local housing need - inconsistent with 'presumption in favour of sustainable development'; wording of policy assumes single site will come forward whereas number of smaller sites could collectively meet policy requirements with early delivery - Land North of Penny Lane, Hermitage promoted; extent of BLD not considered to offer suitable location for development as likely to lead to coalescence of settlements and have greater impact on setting of AONB and SDNP.

**Full text:**

The draft policy wording would result in a conflict between meeting the local housing needs of the District and the 'presumption in favour of sustainable development' (ref. Paragraph 11, NPPF).

We welcome the identification of Southbourne as a 'Strategic Development Location'. This recognises the range of key services and facilities located within Southbourne such as those referred to in the supporting text. Our client represents the freehold owners of the Land North of Penny Lane, Hermitage (c 5.4 ha), which has been identified as a 'deliverable' site within consecutive versions of the Chichester Housing and Employment Land Availability Assessment (HELAA). Our client welcomes the inclusion of this site within the Broad Location of Development (BLD) and has recently submitted a planning application on the site for up to 84 dwellings (CDC ref. SB/23/00024/OUT).

Notwithstanding the above we wish to draw the Council's attention to the potential conflict in the draft policy wording with the ability of the emerging Plan to meet the local housing needs of the District and apply the 'presumption in favour of sustainable development' (ref. Paragraph 11, NPPF).

Whilst we support the draft policy objective to deliver housing, employment, retail, social and community facilities at Southbourne, the policy wording predetermines how the emerging Neighbourhood Plan or future Site Allocations DPD should distribute the identified local housing need and associated development. The requirement in the wording for development to address all 16 criteria within the BLD assumes a single site will come forward, as opposed to a number of sites which collectively could meet the 16 requirements, if planned for in advance.

Proposals for sustainable urban extensions where land is 'available' and 'achievable' in Settlement Hubs such as Southbourne, are a sustainable way to meet the local housing need in the early years of the Plan period and support the long-term vitality of existing communities.

Notwithstanding the benefits of a single eastern extension in the mid to later years of the Plan period, as supported in previous drafts of the Southbourne Neighbourhood Plan, a number of smaller sites can collectively bring the benefits of a single major large-scale development. This approach would have the added benefit of early delivery, provided a strategic approach to infrastructure delivery is taken and coordinated through the emerging Plan and Infrastructure Delivery Plan. This is recognised in Paragraph 69 of the NPPF where by the important contributions of small and medium sized sites can make in meeting the housing requirements of an area and are often built-out relatively quickly.

Smaller sites can also play an important role in sustaining key services and facilities within Hermitage, Southbourne and Emsworth, which have been in decline in recent years due to changing shopping habits and community displacement from increasing affordability gaps, in part due to constrained housing supply. In allowing such sites to come forward the Parish could also be facilitating new community infrastructure through the IDP and funded through CIL and / or S106 Legal Agreements.

We therefore encourage the Council to revise the approach toward the BLD and pursue a strategy of allowing some limited dispersal of development in suitable locations as the most sustainable strategy for the distribution of housing in Southbourne Parish over the Plan period.

With regard to the extent of the BLD the entire area shown on the Key Diagram is not considered to offer a suitable location for development within the context of the NPPF. The land to the north of Southbourne and within the landscape gap with Hermitage to the west does not present a suitable location for a single major residential-led development. Such a large scale development in this location would be more likely to lead to coalescence of the two settlements and have a greater impact on the setting of the AONB and National Park than a development to the east, or a series of smaller sites delivering incremental growth and new infrastructure to the urban area.

**Change suggested by respondent:**

Revise approach toward BLD and pursue strategy of allowing some limited dispersal of development in suitable locations as the most sustainable strategy for the distribution of housing in Southbourne Parish over plan period.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy A13 Southbourne Broad Location for Development**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]**Summary:**

The broad site allocation lacks specific detail on its environmental impact, therefore we are unable to either support or object at this stage. We welcome point 9 requiring habitat protection.

**Full text:**

The broad site allocation lacks specific detail on its environmental impact, therefore we are unable to either support or object at this stage. We welcome point 9 requiring habitat protection. We request that any future allocation requires a site survey for ancient woodland and ancient & veteran trees, and that appropriate buffers are applied, before the number and layout of dwellings is agreed.

**Change suggested by respondent:**

We request that any future allocation requires a site survey for ancient woodland and ancient & veteran trees, and that appropriate buffers are applied, before the number and layout of dwellings is agreed.

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Chichester Harbour Trust (Nicky Horter, Trust Administrator) [7286]

**Summary:**

The Chichester Harbour Trust objects to the allocation at A13 at Southbourne. This proposal represents major development adjacent to the Chichester Harbour AONB and is disproportionate to the size and facilities of the existing settlement. It is within the 5.6km zone of influence for Chichester Harbour SSSI. It is our observation that this allocation represents a conflict with the policies outlined in the Plan

**Full text:**

The Chichester Harbour Trust objects to the allocation at A13 at Southbourne. This proposal represents major development adjacent to the Chichester Harbour AONB and is disproportionate to the size and facilities of the existing settlement. It is within the 5.6km zone of influence for Chichester Harbour SSSI. It is our observation that this allocation represents a conflict with the policies outlined in the Plan chapter 4 on the natural environment, which makes it hard to justify the soundness of the Plan, particularly: Policy NE2 Natural Landscape Policy NE3 Landscape Gaps between settlements Policy NE6 Chichester's Internationally and Nationally Designated Habitats Policy NE7 Development and Disturbance of Birds in Chichester and Langstone Harbours, Pagham Harbour, Solent and Dorset Coast Special Protection Areas and Medmerry Compensatory Habitat Policy NE13 Chichester Harbour Area of Outstanding Natural Beauty Policy NE16 Water Management and Water Quality

It is difficult to make an assessment of the impact of housing development in the broad location without specific site allocation plans, which we understand would come through the neighbourhood plan process. However our general concerns about the allocation relate to: - the impact on the sensitive landscape setting of the AONB and loss of open views to the South Downs  
 - the over-reliance on developing greenfield sites, mostly on grade 1 & 2 agricultural land leading to concerns about unsustainable loss of countryside and impact on food production and food security  
 - the inadequate waste water treatment infrastructure at Thornham WWTW and lack of funded improvements in the timescales required  
 - the additional flood risk and ground water issues raised by construction on low lying coastal plain sites  
 - the impact on biodiversity and species that rely on the interconnectivity between the protected landscapes  
 - the additional recreational pressure within the SSSI zone of influence  
 - the inevitable increase in air, noise, and soil pollution

Overall, we feel that the allocation does not reflect emerging government rhetoric (which may soon translate to policy through the NPPF) about overdevelopment of countryside in the South East of England, and that the timescale is not compatible with the NPPF review which may lead to an alternative method of determining housing allocations in the district. For this reason we find the plan to be unsound.

**Change suggested by respondent:**

We would need to have a clearer idea of housing location to comment in more depth however would wish to see a reduction in the allocation at this location.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/trc>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Obsidian Strategic [7973]

**Agent:** Andrew Black Consulting (Mr Andrew Black, MD) [7597]

**Summary:**

Concerns that a made Southbourne Neighbourhood Plan will make the allocation of additional housing in the parish less likely rather than more likely;

Considers that CDC should have tested the allocation of other alternative sites (such as Main Road, Hermitage) as part of Southbourne proposed approach determination;

Considers the expectation of delivery from a broad area at Southbourne is overly ambitious and the broad location approach is not rational, sufficiently specific, effective or justified.

**Full text:**

I write in response to the regulation 19 consultation version of the Chichester Local Plan 2021/2039 on behalf of my client Obsidian Strategic.

Obsidian Strategic have an interest in a site to the South of Main Road, in Hermitage, within the Southbourne Neighbourhood Plan Area. Further details in relation to the site are set out within the appendices of these representations and referred to throughout.

**Housing Requirement**

The identified housing need for Chichester District Council (CDC) as calculated by the standard method is 638 dwellings per annum (dpa). However, the local plan only seeks to provide 575 dpa or a total supply of 10,350 over the plan period (2021-2039). As result the proposed strategy represents an under supply of 1,134 over the plan period. Furthermore, the undersupply means that CDC is unable to accommodate the unmet arising from the South Downs National Park.

In recent years CDC has not been able to demonstrate a five year housing land supply nor has it delivered housing against the requirements of the Housing Delivery Test. It is therefore important that the unmet need is made up within the early part of the plan period.

Paragraph 5.2 of the plan states that the under supply is due to constraints across the district particularly the capacity of the A27.

Policy H1 (Meeting Housing Needs) sets out the housing target of 10,350 dwellings to be delivered over the plan period 2021-2039. Considering the existing commitments, allocations and permissions this gives a remaining figure without planning permission of 3,056 homes for allocation in the Local Plan.

**Strategic Allocations**

Policy H2 of the reg 19 plan sets out the following strategic site allocations which are carried forward from the 2015 Local Plan:

\*\*Table\*\*

Table 11 of the latest Annual Monitoring Report (AMR) (produced in November 2022) show the progress of delivery from these allocations:

**\*\*Table\*\***

Table 12 of the AMR sets out the progress of the large sites towards future delivery as follows:

**\*\*Table\*\***

The Housing Trajectory as set out in Appendix E of the Local Plan shows delivery of the existing allocations as set out under policy H2. Given that the Land at Shopwyke (A7) and the Land at Westhampnett/North-East Chichester (A9) already have permission for the number of dwellings in the allocation and construction has already started, there is no objection to the predicted levels of delivery as set out in the trajectory. However, the housing trajectory sets out delivery from the Land West of Chichester (Phase 2) (A6) and Tangmere SDL as follows:

**\*\*Table\*\***

Given that neither of these sites have outline permission then the delivery of units from both sites in a little over 5 years from the adoption of the plan is considered wholly unachievable.

CDC has presented no evidence to justify how this timeframe would be achieved and it is considered that the trajectory is unreliable as a result.

The Local Plan sets out a Broad Location for Development at Southbourne which would be delivered through either the Neighbourhood Plan process or a Site Allocation DPD:

**\*\*Table\*\***

The Housing Trajectory as set out in appendix E of the Local Plan sets out the following delivery from this site:

**\*\*Table\*\***

Given that policy A13 remains as a 'broad area for development' it is not considered that there is adequate justification for the trajectory as set out. Notwithstanding the effectiveness of allocating a site in this way, an exact location for the housing is yet to be defined, nor is delivery through the neighbourhood plan/DPD confirmed (further details on this is set out within the reps). Until a more detailed site can be defined and delivery confirmed it is not considered that CDC is able to guarantee delivery of dwellings in the housing trajectory as it has done so within the plan.

**Non-Strategic Parish Housing Requirements**

Policy H3 sets out the following housing requirements from individual parishes.

**\*\*Table\*\***

The supporting text of policy H3 sets out that if draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

Table 13 of AMR identifies that there has been historically poor delivery of net housing completions from parishes:

**\*\*Table\*\***

The overall strategy as set out by CDC in the plan is highly dependent on the delivery of housing from Neighbourhood Plan areas. Whilst this approach is not un-sound in itself, it is considered that the plan in its current form allows for little mitigation or alternatives should delivery not come forward in the neighbourhood plan areas.

In order for the plan to be considered positively prepared and justified it is recommended that additional wording is added to policy H3 to state that individual applications can come forward on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

on sustainable sites outside of existing settlement boundaries in parishes should delivery not come forward within the first five years of the plan period. Priority should be given to any sites already identified within draft versions of Neighbourhood Plans.

Southbourne

As set out, the Local Plan proposes a 'Broad Location for Development' at Southbourne for the delivery of 1,050 dwellings. This approach follows the withdrawal of the previously draft version of Neighbourhood Plan after it was found not to comply with basis conditions following examination in early 2022. Southbourne Parish Council is now pursuing a revised Neighbourhood Plan which has been submitted to CDC for a regulation 16 consultation. Obsidian previously responded to the regulation 14 consultation in late 2022 and these are appended to these representations.

The revised Southbourne Neighbourhood Plan does not seek to allocate any new housing allocations and instead takes a protectionist stance against any new development as an interim position whilst the Local Plan is prepared. However, once the Neighbourhood Plan is made, it would form part of the development plan for CDC. It is highly likely that a made Neighbourhood Plan in the form currently proposed by Southbourne would make the allocation of additional housing in the parish less likely rather than more likely.

The Sustainability Appraisal (SA) as prepared for the regulation 19 of the Local Plan sets out the proposed approach to Southbourne as follows:

3.1. With the decision of Southbourne Parish Council to no longer proceed with the inclusion of a strategic allocation in their neighbourhood plan, the Council considered three options for taking forward development in Southbourne, namely:

- Option 1 - redistribute the housing number elsewhere
- Option 2 - allocate a strategic site
- Option 3 - identify a Broad Location for Development

The SA goes on to set out the reason for option 1, for redistributing the housing number elsewhere, being discounted as follows:

3.2. As set out in the Housing Background Paper, the preferred spatial strategy is to focus the majority of growth at Chichester and the east west corridor, with a focus on the Settlement Hubs within the corridor. To redistribute the housing number to other parts of the plan area would not be consistent with the preferred spatial strategy nor reflective of the role of Southbourne as one of the more sustainable locations in the plan area capable of delivering strategic scale development. The ability to redistribute the number to other locations within the east/west corridor is also severely limited due to infrastructure constraints (impact on A27 junctions) or environmental restrictions (wastewater treatment capacity). For these reasons, Option 1 was discounted.

Whilst it is accepted that the redistribution of the entire requirement of 1,050 homes would be problematic, it is considered that CDC should have tested the allocation of other alternative sites such as that at Main Road, Hermitage and other suitable alternative sites.

The SA goes on to set out consideration of option 2 as follows:

3.3. In order to allocate a site in a Local Plan, it needs to have gone through a rigorous process to ensure that the Council can demonstrate that the allocated site is suitable, given reasonable alternatives, and is based on proportionate evidence. Given there is more than one site or combination of



sites that could come forward as an allocation in Southbourne, a clear process setting out for why one site was chosen over another would be needed, informed by site specific technical information.

This is correct and it is therefore not accepted that an approach to allocate a broad area for development would be robust, deliverable or effective. The SA goes on to state:

3.5. The allocation of a strategic site at Southbourne would also be a significant change in approach at a late stage of the Local Plan preparation process. The additional technical evidence that would need to be undertaken to justify a Local Plan allocation at this stage would impact significantly in terms of delay to the finalisation of the Regulation 19 Local Plan and its subsequent submission to the Secretary of State for examination. For these reasons Option 2 was discounted.

This provides further weight to the position set out within these representations that the expectation of delivery from the 'broad area' at Southbourne is overly ambitious and it is clear there is significant technical work to undertake on the delivery of homes from the allocation as part of the future plan making process.

The SA goes on to set out the justification of option 3 as follows:

3.6. The identification of a BLD is consistent with the National Planning Policy Framework (NPPF). Paragraph 68 states that for years 6 -10 of the plan, local authorities should through their planning policies identify a supply of 'specific, developable sites or broad locations for growth'.

3.7. There is no definition of 'broad locations' in national policy. It is generally taken to be an area within which housebuilding could reasonably be expected to take place based on the availability of land having regard to the Housing and Economic Land Availability Assessment (HELAA). A BLD does not have a specific geographic location or physical boundary. Areas are identified as broad locations because at that stage it is not yet possible to identify the precise boundaries of a site until further detailed site work has been done. By identifying a broad location gives flexibility and may increase the prospect of appropriate and effective growth i.e. where there is some doubt as to the most effective site boundary could prevent growth coming forward or prevent the most sustainable solution. However, a broad location might be expected to accommodate a significant amount of development; in some cases a single site may be of a sufficient size to accommodate all of the potential development or a number of sites that abut other sites may be considered together.

This is not considered a rational approach to take. Whilst there is no definition of 'broad location' within national policy it is considered that the words 'specific' and 'developable' must be taken at their basic meaning and indeed as set out in the glossary of the framework. It is not considered that the allocation of such a large area for a 'broad location' would be specific, effective or justified against the tests of soundness in the NPPF.

The allocation of Southbourne under policy A13 would represent over 10% of the total housing delivery in the plan. This is considered too significant to leave to a broad location for development.

As set out, Southbourne Parish Council is already at advanced stages of a revised Neighbourhood Plan which does not include the allocation of any of the development parcel envisaged under policy A13. In terms of delivery through the Site Allocations DPD, the timetable for this is set out within the most recent Local Development Scheme (January 2023) which sets out the following:

**\*\*Table\*\***

As set out, the housing trajectory assumes delivery of dwellings from the allocation at Southbourne in 2028/29. Given that the Site Allocation DPD would not be delivered until Winter 26/27 at the earliest, and the delivery through the Neighbourhood Plan has been discounted by the progression of a NP without the allocation, then the deliverability of any development at Southbourne remains wholly unjustified within the plan period.

The SA goes on to set out the approach to alternative sites in Southbourne Parish as follows:

4.3. The 2021 HELAA assessed 41 sites in Southbourne Parish (see Appendix 1). Of these, 18 sites were discounted because the site either had planning permission/were under construction (five sites); it was within the Chichester Harbour Area of Outstanding Natural Beauty (AONB) (eight sites); there was insurmountable access issues (two sites); it was in Flood Zone 3 (one site); or there was a legal restriction on the site use (in this case a Section 106 Agreement restricting use to open space) (two sites). These sites were not considered further for inclusion within the BLD.

The land at Main Road was one of the sites discounted due to being located in the AONB. For the reasons set out within subsequent sections of these representation, it is not considered that it was necessary to discount sites within the AONB as other councils have taken the decision to use such sites to meet housing need and not considered the AONB as an absolute constraint.

Specialist Accommodation for Older People

Para 5.41 of the regulation 19 of the Plan sets out the following:

The Housing and Economic Development Needs Assessment (HEDNA) 2022 estimates the greatest population increase in the district by 2039 to be those in age groups 75 and over. To support an ageing population there should be provision of suitable housing options for the differing needs of individuals, including:

- Sufficient adaptable and/or accessible market housing stock so that those wishing to remain in their own homes can do so as their needs change.
- Smaller homes, for those wishing to downsize, and bungalows.
- Extra care housing, for those able to live relatively independently but requiring on-site support.
- Care homes, for those needing additional support.

Table 8.1 of the HEDNA sets out the current population breakdown for separate groups over 65 and demonstrates that CDC has a significantly higher percentage in all age groups over 65 than the average in West Sussex, the South East or England:

**\*\*Table\*\***

Policy 8.12 of the HEDNA goes on to set out the need for different groups as follows:

**\*\*Table\*\***

The HEDNA sets out the following commentary in this regard:

8.41 It can be seen by 2039 there is an estimated need for between 2,131 and 2,872 additional dwellings with support or care across the whole study area. In addition, there is a need for 429-800 additional nursing and residential care bedspaces.

8.42 Typically for bedspaces it is conventional to convert to dwellings using a standard multiplier (1.80 bedspaces per dwelling for older persons accommodation) and this would therefore equate to around 238-445 dwellings.

8.43 In total, the older persons analysis points towards a need for around 2,369-3,317 units over the 2021-39 period (132-184 per annum) – the older person need equates to some 17-24% of all homes needing to be some form of specialist accommodation for older people.

Given the significant need for Specialist Housing Accommodation across the district it is vital that this is planned for adequately within the emerging Local Plan. The Planning Practice Guidance sets out why it is important to plan for housing needs of older people as follows:

The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.

Paragraph: 001 Reference ID: 63-001-20190626 Revision date: 26 June 2019

The PPG goes onto state how housing requirements of such groups should be addressed in plans:

Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people.

These policies can set out how the planmaking authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.

Paragraph: 006 Reference ID: 63-006-20190626 Revision date: 26 June 2019

Policy H8 states:

All housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people to include a support or care component. The specific type and amount of accommodation required will depend on the size and location of the site.

Proposals for specialist housing, such as homes for older people, student, HMOs or essential worker accommodation, and other groups requiring specifically designed accommodation will be supported where the following criteria are met:

- 1) There is an identified need;
- 2) It will not lead to a concentration of similar uses in an area that would be detrimental to the character or function of an area and / or residential amenity;
- 3) It is in close proximity to everyday services, connecting by safe and suitable walking / cycling routes or public transport for the intended occupier;
- 4) It can be demonstrated that the development is designed to provide the most appropriate types of support for the target resident;
- 5) It can be demonstrated that revenue funding can be secured to maintain the longterm viability of the scheme (if relevant to the type of accommodation proposed); and
- 6) The scheme is supported by the relevant agencies (if relevant to the accommodation type to be provided).

Proposals which may result in the loss of specialist needs accommodation will not be permitted unless it can be demonstrated that there is no longer a need for such accommodation in the plan area, or alternative provision is being made available locally through replacement or new facilities.

Whilst this approach goes some way to addressing the care needs it is felt that the policy lacks effectiveness and should take a far more constructive and positive approach to the provision of housing for older people.

The wide range of different housing typologies is set out within the Planning Practice Guidance as follows:

- Age-restricted general market housing: This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.
- Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager.
- Extra care housing or housing-with-care: This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.
- Residential care homes and nursing homes: These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes.

[Paragraph: 010 Reference ID: 63-010-20190626].

It is considered that a residential care home (including housing for dementia needs) could be developed on the Land South of Main Road without causing harm to the AONB and this would provide for a clear need within the village whilst also providing employment to local workers.

Development in AONB

The NPPF sets out the following in relation to development in the AONB at paragraph 172 as follows:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development<sup>55</sup> other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated

Footnote 55 of paragraph 172 is relevant for the consideration of what is considered as major development and states:

For the purposes of paragraphs 172 and 173, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

No evidence is set out within the Local Plan or supporting evidence base to state what is considered to be a major development site in the district. Neither the Chichester Harbour AONB: State of the AONB Report (May 2018) or the Chichester Harbour AONB Landscape Character Assessment (April 2019) contain any references to what is considered to constitute a major development.

This is a matter which has been considered at length within other Local Plan examinations. As part of the evidence for its Local Plan, the South Downs National Park sought successive legal opinions from James Maurici QC on what should be considered as 'Major Development' in the AONB and have subsequently become widely known as the 'Maurici Opinions' in other Local Plan examinations. The opinions set out the following conclusions:

- It is a matter of planning judgement to be decided by the decision maker.
- Major development is to be given its ordinary meaning, and it would be wrong to apply the definition of major development contained within the Town and Country Planning (Development Management Procedure) (England) Order 2015. It would also be wrong to apply any set or rigid criteria for defining major development, and the definition should not be restricted to development proposals that raise issues of national significance.
- The decision maker may consider whether the proposed development has the potential to cause a significant adverse impact on the purposes for which the area has been designated or defined, rather than whether there will indeed be a significant adverse impact from the proposed development.
- The decision maker may consider the proposed development in its local context as a matter of planning judgement.
- There may be other considerations but which may not determine whether a proposed development is major development. For example, if the proposed development is Environmental Impact Assessment (EIA) development.
- The ordinary sense of the word 'major' is important and the decision maker should take a common sense view as to whether the proposed development could be considered major development.

In the Mid Sussex District Council Site Allocations DPD Evidence Base there is a topic paper setting out consideration of Major Development in the AONB and concludes that several of the allocations, in some cases up to 70 dwellings, would not be classed as major development in the AONB following a detailed review of each of the factors as set out in footnote 55 of the NPPF against each proposed allocation.

It is considered that this approach should have been undertaken for each of the individual sites discounted in the Local Plan (including Main Road, Hermitage), rather than simply discounting on the sole fact that they were in the AONB.

Sustainability Appraisal

The legal frameworks for SAs are set out within section 19 of the Planning and Compulsory Purchase Act 2004 which states that the authority must prepare a plan with the objective of contributing to the achievement of sustainable development. Moreover, the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 states that SAs must ensure that the potential environmental effects are given full consideration alongside social and economic issues.

It is not considered that the council has given full consideration to all effects nor are the conclusions of the SA in respect of those impacts robust and logical.

Paragraph 32 of the framework goes on to state that the SA should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

The SA sets out whether it was reasonable to explore higher growth scenarios as follows:

5.2.12 As discussed above, the PPG on Housing and Economic Needs Assessment sets out reasons for providing for 'above LHN' through local plans, referring to situations where there are "growth strategies for the area... (e.g. Housing Deals); strategic infrastructure improvements that are likely to drive an increase in [need]; or an authority agreeing to take on unmet need from neighbouring authorities..." Also, affordable housing needs can serve as a reason for considering setting the housing requirement at a figure above LHN, with the PPG stating: "An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes."

5.2.13 However, in the Chichester context there is little or no argument for exploring scenarios whereby the housing requirement is set at a figure above LHN, given the issues discussed above at paragraph 5.2.11. Unmet housing needs are a widespread issue across the sub-region, but there is no realistic potential to provide for unmet housing needs within Chichester. At the time of the Preferred Approach consultation (2018/19), the proposal was to provide for both locally arising housing needs in full and a proportion of the unmet needs arising from the SDNP (41 dpa). Also, it is noted that the SA report published as part of the consultation considered scenarios – considered to be 'reasonable' at that point in time – that would see the housing requirement set at figures significantly above LHN (800 dpa and 1,000 dpa were tested). However, at the current time, in light of the latest available evidence, scenarios involving setting the housing requirement at a figure above LHN can be safely ruled out as unreasonable.

It is not considered that a figure at or above the LHN would be considered unreasonable and that this matter has not been given full consideration (as per the requirements of the SA regulations), particularly in regard to the social impacts of not meeting housing need in full.

Appendix V of the SA sets out commentary in regard to Parish Scenarios. This sets out the following in relation to Southbourne (with emphasis added):

With regards to the extent of the broad location, this matter is considered fairly uncontentious (for the current purposes of arriving at reasonable growth scenarios). Specifically, the proposal is to identify an area of search that includes developable HELAA sites that relate relatively well to the Southbourne settlement edge and avoid the Strategic Wildlife Corridor associated with the Ham Brook, also naturally mindful of the need to maintain a landscape gap to settlements within Chidham and Hambrook Parish, to the east. It is important to note that the total theoretical capacity of developable HELAA sites within this broad area is far in excess of the number of homes that would need delivered under any reasonably foreseeable scenario.

The broad location provides flexibility to identify a detailed allocation either through a Site Allocations Plan or, should the Parish Council wish to do so, a revised Southbourne Parish Neighbourhood Plan. Site selection considerations will likely include: transport and access (including mindful of links to the train station and by car to Portsmouth); accessibility and community infrastructure (mindful of the secondary school, recreation ground and employment area at the western edge of the village); heritage (e.g. there is a historic rural lane to the east, associated with two listed buildings), topography and landscape (including any visual links to the SDNP and/or the AONB) and the potential to secure a strategic scheme that delivers more than just new market homes, and potentially significant 'planning gain' for the local community.

With regards to the number of homes that should be supported, there is logic to further exploring the scale of growth that was previously considered through the now withdrawn Southbourne NP, and it is not clear that there is an argument for considering lower growth. Additionally, there is a clear argument for exploring the possibility of higher growth, to ensure a suitably comprehensive scheme, with a high level of 'planning gain'.

In conclusion, there are two scenarios for Southbourne Parish, namely completions, commitments and windfall plus either: 1) a broad location for 1,050 homes; or

2) a broad location for ~1,500 homes.

As set out, it is not considered that the SA has considered adequate reasonable alternatives to growth at Southbourne which would include allocation of sites elsewhere in the village including within the AONB that can deliver in the early part of the plan period.

#### Conclusions

There are significant concerns on the soundness of the plan in terms of whether it is effective, justified, positively prepared or consistent with national policy in accordance with paragraph 35 of the NPPF.

It is not considered that the Council has justified the extent of the under supply of housing against the established housing need. There are significant concerns over the delivery of housing from the strategic allocations within the unjustified timescales as set out within the trajectory contained in the plan.

The Council has not adequately considered reasonable alternatives through the Sustainability Appraisal as published alongside the plan which should have included consideration to the allocation of the site in order to deliver housing in the early part of the plan period.

The plan fails to adequately consider the need for housing for older people, given that the population over 65 across CDC is significantly in excess of the average in the county, south east and county as a whole.

CDC discounted all sites within the AONB, including the site at Main Road, Hermitage, at an early stage of the plan making process. This is not considered effective or consistent with national policy which does not class such sites as an absolute constraint. Other local authorities have allocated such sites in order to deliver the full objectively assessed needs.

ABC will continue to make further representations on the deliverability of the site as part of the plan making progress.

#### Change suggested by respondent:

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Regulation 19 - Andrew Black Consulting - obo Obsidian - redacted - <https://chichester.oc2.uk/a/trf>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

The information we have been able to obtain by looking at this plan does not enable SWT to give effective feedback on the impacts on biodiversity from development at this scale in this broad location. We are encouraged to see the supporting text acknowledging the importance of master planning when considering suitability of development in that location.

We feel that this policy is inconsistent with other policies in the draft Local Plan. While bullet point 9 references no adverse impacts to wildlife, it fails to acknowledge the requirement to leave biodiversity in a better state via the delivery of BNG.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Amend policy to acknowledge the addition of BNG to ensure the policy is consistent with national policy, 179b NPPF 2021:

9) Demonstrate that development would not have an adverse impact on the nature conservation interest of identified sites and habitats including the strategic wildlife corridors;. Deliver biodiversity net gain that facilitates habitat connectivity.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Mrs Sue Talbot [6219]

**Summary:**

Policy A13 proposes "... a comprehensive and coordinated approach, piecemeal or unplanned development proposals within the area which are likely to prejudice its delivery including the infrastructure for the area will not be permitted." The Council's housing supply figure was 4.74 years (April 2022), thus activating its "Interim Position Statement for Housing". This Statement may be withdrawn on approval of the new Local Plan (date unknown) but it could be retained. The Statement steers development towards individually assessed "sustainable locations" which conflicts with the masterplanning intended in Policy A13. The Interim Statement should be withdrawn immediately in respect of Southbourne.

**Full text:**

The HEELA 2021 shows the District Council's assessment of the potential for housing in Southbourne to be well over 4000 dwellings. However, the parish is not capable of accommodating an unlimited amount of housing.

The parish is under great pressure and this was acknowledged by the reduction of the strategic allocation from 1250 to 1050 in the Council's letter dated 26th November 2020. The District Council reduced the strategic allocation to take account of an appeal which allowed 199 dwellings on a site in Cooks Lane, Southbourne on 2nd March 2020. (199 dwellings App. No. 18/03/03145/OUT). A letter from the District Council to the Parish Council dated 26th November 2020 stated "... the revised distribution we are testing includes a proposed level of development of 1,250 dwellings for your parish. The working assumption therefore is that your parish council will bring forward a neighbourhood plan identifying sites (of five or more dwellings) to deliver this level of development for the period 2019-2037. Typically, any sites or schemes which already have planning permission, allocated in the existing Local Plan or a "made" Neighbourhood Plan as at 1 April 2020 would not count towards this figure. Nor would development on sites of less than five dwellings, as they count towards the "windfall" figure for the Local Plan Review and so cannot be double counted. The exception to this is the 199 dwellings which have planning permission on the Cook's Lane site, which I can confirm are envisaged will count towards the 1,250 total." It appears that, quite rightly, the District Council made this exception because it was recognised that more than 1250 dwellings could not be sustained in the parish.

This pressure continues. There are currently four large applications pending in Southbourne. Those at Penny Lane (23/00024/OUT – 84 dwellings), and Four Acre Nursery (22/01903/OUT – 40 dwellings) lie within the BLD. Hopefully these will be refused as approval would prejudice the intention of Policy A13. A third lies outside the BLD at Gosden Green Nursery (21/02238/FULEIA – 29 dwellings) and the outcome of an appeal is awaited. The fourth (21/01910/OUT – 63 dwellings) lies outside the BLD and close to Hambrook. "The Interim Position Statement for Housing" has been invoked in three of these applications. If approved, these "piecemeal and unplanned" applications as submitted will chip away at the strategic allocation figure and the proposed masterplanning without providing the infrastructure so badly needed in the parish. The Interim Position Statement has weight as Supplementary Planning Guidance and the Local Plan Review also has weight having reached its Regulation 19 stage, it is not clear which has precedence.

The period of greatest pressure is likely to be experienced before the approval of the Local Plan and therefore the "Chichester Interim Position Statement for Housing" should be amended to exclude Southbourne parish now.

(Please note the uploaded document "Chichester Interim Position Statement for Housing" is dated 2020 as the 2022 version does not appear to be on the CDC website)

**Change suggested by respondent:**

Policy A13 should include the following "Due to the circumstances which require a BLD to be proposed for Southbourne, the provisions of the Council's 'Interim Position Statement for Housing April 2022' will not be applied in Southbourne parish". A similar statement needs to be added to the "Interim Position Statement for Housing" for consistency.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Southbourne\_BLD\_Background\_Paper Jan 2023.pdf - <https://chichester.oc2.uk/a/s84>  
Chichester\_Interim\_Position\_Statement\_for\_Housing 2020.docx - <https://chichester.oc2.uk/a/s85>  
CDC Letter to SPC 26.11.20 REDACTED - <https://chichester.oc2.uk/a/sfp>

## Support

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Noting the need for a master plan and to collaborate]. Reinforce that a master planning process presents an opportunity for the Council, and early consultation/working with key stakeholders, to

- consider traffic associated with the developments using, accessing, and exiting the A27
- consider viable alternatives to the private car and the possible travel routes
- understand future infrastructure requirements
- develop a package of mitigation measures with detailed costing
- utilise Travel Plan monitoring strategies triggered through phased development
- collect appropriate mitigation funding

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

"Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings
- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Tanglewood Residences Limited [7976]

**Agent:** Andrew Black Consulting (Mr Andrew Black, MD) [7597]

#### Summary:

It is not considered that the SA has considered adequate reasonable alternatives to growth at Southbourne which would include allocation of sites elsewhere in the village including within the AONB that can deliver in the early part of the plan period.

#### Full text:

See attached representation.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC Regulation 19 - Andrew Black Consulting - obo Tanglewood Residences - March 2023 - Final redacted - <https://chichester.oc2.uk/a/sxb>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

This equates to the current number of homes in the Parish of Chidham and Hambrook, before the current building ongoing. Local services will suffer, with the population in the surrounding villages suffering harm as a direct result as constraints in the supply of said services. Southbourne surgery is already seriously under pressure with long wait times to make an appointment. With an aging population and increasing population, the situation will get worse. Given the scale of building proposed in addition to the houses already built or in the process of being built, inter-visibility has already been effected and will become increasingly effected, resulting in a degradation to the character of the area.

**Full text:**

**Executive Summary**

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour



Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

The total number of dwellings allocated to Southbourne should be 1,250. Further, it is recommended that a specific location is selected within Southbourne, to align with all other allocations within Chapter 10 and to avoid a significant risk to the delivery of housing. No rationale is presented as to why development in Southbourne should be delayed until the adoption of a subsequent DPD or Neighbourhood Plan. The long-term assessment and findings of the Neighbourhood Plan group and the plan examiner remain sound and should be respected and reflected in a specific and precise housing allocation for the village.

**Full text:**

REPRESENTATION SUMMARY

CDC fails on a number of counts to provide a sound reason for constraining development delivery to 535 dwellings per annum. We find that the Council's failure to adhere to the OAN on the basis of ineffective evidence results in plan that has not been positively prepared and adopts a strategy that is not justified. We believe the plan is capable promoting a greater level of housing delivery which will, in turn, help bring the estimated infrastructure contribution per dwelling to a more deliverable and realistic level.

This representation provides continued support and draft policy context for the development on land east of Southbourne. We consider it to provide a suitable and sustainable location for large-scale strategic residential growth and substantial associated infrastructure improvements.

The area was due for allocation within the Southbourne Neighbourhood Plan, having been initially allocated 1,250 dwellings on 'land east of Southbourne', prior to its removal post Examination (based on concerns of the Examiner over a pre-emption of the emerging local plan). Importantly, the Examiner did not conclude that the proposed allocation was unsustainable for growth or inappropriate in size, but simply that the timing of the Neighbourhood Plan was too early against the emerging Local Plan timetable which had unfortunately been delayed.

We continue to recommend that the land east of Southbourne (Policy A13 in the emerging LP) provides the most appropriate location for development at Southbourne. Indeed, the land to the east of the settlement was chosen as the most appropriate location, as opposed to the land to the west which is more constrained by the A27 and would likely result in amalgamation with the settlement of Emsworth.

We consider that the increase in the quantum of development at Southbourne from 1,050 to c1,250 not only ensures the highest level of community enhancements and infrastructure improvements for Southbourne and the wider area but also helps mitigate certain aspects of the emerging plan that risk being found unsound, including the potential for delays in housing delivery across the largest strategic sites and the potential for Chichester District to accommodate unmet need across neighbouring authorities (and within SDNP).

Considering the above, and in terms of specific policy amendments, we recommend the following policies be reworded to ensure the plan's overall soundness:

**Policy H1 – Meeting Housing Needs –** The housing requirement (10,350) for the plan period 2021-2039 must reflect Objectively Assessed Need to avoid the risk of failing to be seen as positively prepared. The evidence base on which the justification for a reduction in housing delivery is flawed and not credible. The plan fails the tests of soundness to this regard and Policy H1 should be amended in line with a reassessment of highway constraints.  
**Policy H2 – Strategic Locations/Allocations 2021-2039 –** The quantum of development at Southbourne (A13) should be 1,250 to reflect the conclusions of the sustainability appraisal, the capacity within the land east of Southbourne and the importance in bringing forward all infrastructure improvements to the village and wider area.

**Policy A13 – Southbourne Broad Location for Development -** In line with the above, the total number of dwellings allocated to Southbourne should be 1,250. Further, it is recommended that a specific location is selected within Southbourne, to align with all other allocations within Chapter 10 and to avoid a significant risk to the delivery of housing. No rationale is presented as to why development in Southbourne should be delayed until the adoption of a subsequent DPD or Neighbourhood Plan. The long-term assessment and findings of the Neighbourhood Plan group and the plan examiner remain sound and should be respected and reflected in a specific and precise housing allocation for the village. We recommend this policy is rewritten to allocate 1,250 dwellings on land east of Southbourne and to align with the comprehensive masterplanning exercise that has been completed to-date. These representations bring to light a number of recommended reconsiderations with regards to the emerging local plan, these include a reassessment of the quantum of development in Southbourne, the mechanism for infrastructure funding and delivery, the contingency planning around wastewater treatment capacity and the supporting of Vision & Validate as an approach for encouraging safe, efficient and sustainable transport.

For the reasons outlined throughout, these representations also raise significant concerns that the plan as drafted, in particular the housing delivery strategy, risks being found 'unsound' on the grounds of failing to be positively prepared and lacking a fully considered highways evidence base. We believe the changes outlined above with regards to reflecting OAN and adding realistic capacity and specificity to the proposed allocation in Southbourne will help address these concerns.

**Change suggested by respondent:**

We recommend this policy is rewritten to allocate 1,250 dwellings on land east of Southbourne and to align with the comprehensive masterplanning exercise that has been completed to-date.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** 27783 A5 Regulation 19 Repls Final w Appendices.pdf - <https://chichester.oc2.uk/a/s93>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Bullet 9

Summary: At present the Wildlife Corridor area shown around the Ham Brook differs between the Local Plan and the Neighbourhood Plan. The Wildlife Corridor should be larger as shown in the Southbourne Parish Neighbourhood Plan, Submission Modified Plan 2014 – 2029 Ham Brook Strategic Wildlife Corridor Map (Plan D, page 47). The results of surveys commissioned by the District Council confirm this, as do the more thorough surveys commissioned by the Parish Council and validated by the Sussex Biodiversity Record Centre.

It is not clear whether the Map prepared by the District Council is definitive, or a strategic guideline. The Local Plan (Policy NE4, Map NE4a and para. 4.16) appears to confirm that the boundaries are definitive. However, District Council officers in discussion with officers of the South Downs National Park (Duty to Cooperate Statement of Compliance Jan 2023, page 38) it appears that that it was agreed that details would be agreed through Neighbourhood Plans. This conflict requires rectification.

Conclusion - The Wildlife corridor should be extended to include the area shown in the Neighbourhood Plan on the basis of the evidence secured by both District and Parish Councils. Confirmation is required about whether boundaries are defined in the Local Plan or in Neighbourhood Plans.

**Full text:**

See representations attached.

**Change suggested by respondent:**

Policy NE4 should state which plans confirm the boundaries of the Wildlife Corridors. Local Plan Map 4a needs amending to show a larger area for the Nutbourne to Hambrook Wildlife Corridor.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** CDC LP Final A13.2 GTTS 10.03.23 - <https://chichester.oc2.uk/a/sgp>  
 CDC LP Policy H11 GTTS 11.03.23 - <https://chichester.oc2.uk/a/sgq>  
 CDC LP H12 Intensification Sites 11.03.23 - <https://chichester.oc2.uk/a/shr>  
 SPC\_detailed\_responses - <https://chichester.oc2.uk/a/shs>  
 Submission Modified Plan 2014-2029 Policy SB13c - <https://chichester.oc2.uk/a/sht>  
 NP3 SB14 EV1 Biodiversity - <https://chichester.oc2.uk/a/sh3>  
 NP3 SB14 Biodiversity Plan 8 - <https://chichester.oc2.uk/a/sh4>  
 NP3 SB14 Biodiversity Plan 10 - <https://chichester.oc2.uk/a/sh5>  
 Sussex Biodiversity Record Centre 2022 - <https://chichester.oc2.uk/a/sh6>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

1. Introductory Comments

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects

of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.

- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate to this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively.  
The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...

...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to ‘beat the queue’. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 “Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period.”

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The “predict and provide” transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to “double down” on exactly this strategy. It represents, like the rest of the evidence base, a “rolling forward” of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified “credible” (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

“6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours.”

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to “predicting and providing” for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to “offices”, in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public

transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to “monitor and manage” is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of “gridlock”. The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaning mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

“Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use.”

Underpinning the Plan’s spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: “The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area’s main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.”

This is clearly the appropriate focus for meeting the District’s development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: “...the aim is to take advantage of the village’s good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes.”

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that “Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options”. We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for “...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the ‘Five Villages’ area in Arun District.” We unequivocally endorse this conclusion. Realising a “game-changing” level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service

between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be “enhanced” and “reinforced”.

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District’s mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local



level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council’s Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester. There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method...” The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

"5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU's) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa."

Whether the rest of the local road network is similarly protected is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: "New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas." (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide has "run out of road" no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons

beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

## 5.3. Policy H3 Non-strategic Parish Housing Requirements

### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this. Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

“Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

“1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

"Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car."

However, this approach is unambitious and "lightweight" as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to "alleviate pressure" on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which "access will be provided".

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to "roll forward" this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west through movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of "zero-sum" game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous "predict and provide" approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that "shared mobility" – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this "cars first" approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester "This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone." This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council's own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be

aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d’être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach’s serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 “Development and the Strategic Highways Network”, applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

“31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority’s preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom’s total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel.” (our emphasis)

Within the text quoted above, references to National Highways and “the Company” can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the

weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District's identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity inter alia, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan's own Strategic Objectives can be met.

#### 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous "predict and provide" solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long-term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be added, Policy T1 should be modified to read:

"Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

#### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in

support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

"d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities";

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site"

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective "tick box" exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

"9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised."

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

...  
• Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council’s aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar of reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.



For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

"...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and..."

9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park  
Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council's wider aspirations for the "Southern Gateway", and this has governed our approach to the Council to date. We continue to have no "in principle" objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with "dead running" to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park  
Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, un surveilled and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is un surveilled and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

"  
...  
"

- Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.

"  
"

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan's development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

#### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

"  
...  
10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,  
...  
"

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lie on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

“ ...

12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;

”

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“ ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“ ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

”

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route,

including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

" ...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

#### 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

" ...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

#### 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the and impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere.

We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

“..."

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

Policy A13 should accordingly be modified to read:

“...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides the highest possible quality of access to facilities and improved public transport services.

“..."

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

“..."

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

**Object****Document Element:** Policy A13 Southbourne Broad Location for Development**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]**Summary:**

Bullet 2

Legal Compliance – The Parish Council was not consulted about this part of Policy A13 or Policies H11, H12, H13 or H14 until now. Parish Councils are listed as one of the bodies the District Council must consult under the Town and Country Planning (Local Planning) (England) Regulations 2012. (See also Para. 3.4 of the Local Plan Statement of Community Involvement).

Soundness – The proposed intensification of the site at Sunrise in Southbourne is not deliverable (Policy H12 – Proposed 1 additional pitch at Sunrise as shown in Local Plan Appendix I).

**Full text:**

See representations attached.

**Change suggested by respondent:**

H11, H13, H14 - It has not been possible to consult the community in Southbourne to obtain a view on these policies in the time allotted. This places the Parish Council in a difficult position. However, 12 new pitches and 12 new plots is a considerable number to accommodate in addition to those already occupied within the parish and therefore it is considered appropriate to raise objection unless the District Council can provide sufficient assurances about the location and proposed management of these sites.

H12 – The site identified as Sunrise in the Local Plan is already fully occupied. This includes the controversial encroachment, reinforced by two meter high boundary fencing, over a significant length of a Public Right of Way (Footpath 212), which now follows an unpleasant confined route adjacent to the correct route. In addition, an unauthorised park home dwelling has been recently located over the original route of the Public Right of Way. There is no room for a further pitch. It appears that the District Council is attempting to use this proposal to regularise unauthorised development, which is not acceptable. It is strongly recommended that the Inspector visits this site and that the proposal at Sunrise is deleted from the Local Plan.

**Legally compliant:** No**Sound:** No**Comply with duty:** Not specified

**Attachments:** CDC LP Final A13.2 GTTS 10.03.23 - <https://chichester.oc2.uk/a/sgp>  
 CDC LP Policy H11 GTTS 11.03.23 - <https://chichester.oc2.uk/a/sgq>  
 CDC LP H12 Intensification Sites 11.03.23 - <https://chichester.oc2.uk/a/shr>  
 SPC\_detailed\_responses - <https://chichester.oc2.uk/a/shs>  
 Submission Modified Plan 2014-2029 Policy SB13c - <https://chichester.oc2.uk/a/sht>  
 NP3 SB14 EV1 Biodiversity - <https://chichester.oc2.uk/a/sh3>  
 NP3 SB14 Biodiversity Plan 8 - <https://chichester.oc2.uk/a/sh4>  
 NP3 SB14 Biodiversity Plan 10 - <https://chichester.oc2.uk/a/sh5>  
 Sussex Biodiversity Record Centre 2022 - <https://chichester.oc2.uk/a/sh6>

**Object****Document Element:** Policy A13 Southbourne Broad Location for Development**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]**Summary:**

Bullet 1

The evidence explaining why there has been a reduction from 1250 to 1050 dwellings as set out in the District Council "Southbourne Broad Location for Development Background Paper (Jan 2023)" is incorrect. Should the housing numbers for the Local Plan be increased across the parishes for any reason, it is important that they are not increased in Southbourne. This is because it has been acknowledged by the District Council that 1050 additional dwellings are the most that should be accommodated in the period to 2039. The Parish Council considers that more than 1050 dwellings would be likely to compromise other policies in the Local Plan, probably give rise to market saturation locally and also pose problems integrating new residents with those already living in the village.

**Full text:**

See representations attached.

**Change suggested by respondent:**

SUMMARY Para. 2.4 is correct, but para. 2.5 states that the number has "been reduced to 1050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area." This should be amended to read ".....been reduced to 1050 dwellings due to an exception made by the District Council to take account of a planning permission for 199 dwellings at Cooks Lane granted in 2020."

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified

**Attachments:** CDC LP Final A13.2 GTTS 10.03.23 - <https://chichester.oc2.uk/a/sgp>  
 CDC LP Policy H11 GTTS 11.03.23 - <https://chichester.oc2.uk/a/sgq>  
 CDC LP H12 Intensification Sites 11.03.23 - <https://chichester.oc2.uk/a/shr>  
 SPC\_detailed\_responses - <https://chichester.oc2.uk/a/shs>  
 Submission Modified Plan 2014-2029 Policy SB13c - <https://chichester.oc2.uk/a/sht>  
 NP3 SB14 EV1 Biodiversity - <https://chichester.oc2.uk/a/sh3>  
 NP3 SB14 Biodiversity Plan 8 - <https://chichester.oc2.uk/a/sh4>  
 NP3 SB14 Biodiversity Plan 10 - <https://chichester.oc2.uk/a/sh5>  
 Sussex Biodiversity Record Centre 2022 - <https://chichester.oc2.uk/a/sh6>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Southbourne Parish Council (Mrs Maria Carvajal-Neal, Deputy Clerk) [7805]

**Summary:**

Refers to bullets 2 and 3

Legal Compliance – The PC has not been consulted about this part of Policy A13 (or Policies H11 - H14) until now. Parish Councils are listed as one of the bodies the District Council must consult under the Town and Country Planning (Local Planning) (England) Regulations 2012 (see also Para. 3.4 of the Local Plan Statement of Community Involvement). Twelve new pitches and 12 new plots is a considerable number to accommodate in addition to those already occupied within the parish and therefore it is considered appropriate to raise an objection (see response to Policy H11).

Soundness – The proposed intensification of the site at Sunrise in Southbourne is not deliverable (Policy H12 – Proposed 1 additional pitch at Sunrise as shown in Local Plan Appendix I) – see response to Policy H12.

**Full text:**

See representations attached.

**Change suggested by respondent:**

It is strongly recommended that the Inspector visits the site at Sunrise in Southbourne and that the proposal at Sunrise is deleted from the Local Plan (see response to Policy H12).

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** CDC LP Final A13.2 GTTS 10.03.23 - <https://chichester.oc2.uk/a/sgp>  
 CDC LP Policy H11 GTTS 11.03.23 - <https://chichester.oc2.uk/a/sgq>  
 CDC LP H12 Intensification Sites 11.03.23 - <https://chichester.oc2.uk/a/shr>  
 SPC\_detailed\_responses - <https://chichester.oc2.uk/a/shs>  
 Submission Modified Plan 2014-2029 Policy SB13c - <https://chichester.oc2.uk/a/sht>  
 NP3 SB14 EV1 Biodiversity - <https://chichester.oc2.uk/a/sh3>  
 NP3 SB14 Biodiversity Plan 8 - <https://chichester.oc2.uk/a/sh4>  
 NP3 SB14 Biodiversity Plan 10 - <https://chichester.oc2.uk/a/sh5>  
 Sussex Biodiversity Record Centre 2022 - <https://chichester.oc2.uk/a/sh6>

## Support

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

**Summary:**

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings. CCE has significant landholdings around Southbourne which is suitable, available and developable. The

land to the north and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

[Further details within attached representation]

**Full text:**

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

**Chapter 2: Vision & Strategic Objectives**

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

**Chapter 3: Spatial Strategy and Settlement Hierarchy**

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

**Policy S1 Spatial Development Strategy**

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under



## draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterates that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

## Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

## Chapter 4: Climate Change and the Natural Environment

## Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

## Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

## Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

## Chapter 5: Housing

## Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need

assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

#### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

#### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

#### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

### Chapter 6: Place-making

#### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

### Chapter 7: Employment and Economy

#### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that "approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period." Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

### Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council's proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE's land at Hunston and Oving could assist the Council in

meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

#### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE's control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

#### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

##### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

#### Change suggested by respondent:

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Network Rail (Sam Bhatti, Graduate Surveyor) [8048]

#### Summary:

Policy A13, which proposes 1050 new homes, will result in significant upturns in use of the Penny Lane and Church [level] crossings, which are currently public footpath crossings and have high risk factors. Large-scale development could therefore warrant closure or installation of a footbridge.

The Council should be aware of this as these projects are costly and would require requisite funding. Network Rail are in the process of completing a risk assessment on the affected crossings. However, for context we recently reviewed the Copse level crossing (located approximately 1.9km eastwards from Penny Lane) which resulted in a 300% use increase from a 112home development (Planning Application SB/22/01283/FULEIA).

#### Full text:

Thank you for consulting Network Rail on the above consultation, I can confirm we wish to make the following comments.

Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland, and Wales. As statutory undertaker, Network Rail is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.

Having been in consultation with the train operating company, Southeastern Rail, of particular interest to Network Rail is the need to integrate active travel infrastructure and promote First and Last Mile principles. In addition, the impact of development on train stations and existing level crossings.

#### First and Last Mile Considerations

We encourage the Council to consider not only the impact of development on the railway itself, but also on the first and last mile element of passengers' journeys. This factors in access to and from the railway, as well as how other transport modes are integrated and how well communities are connected.

Failure to integrate this represents an issue for rail travel as people who start journeys by car will likely continue to drive rather than stop to change to the train, as the cost and time of parking and train tickets offer no benefit to them.

Developing access to the railway using first and last mile principles has several benefits, including:

- Aligning with local and national policy to reduce carbon emissions and meet netzero targets, by encouraging more active modes of transport such as walking and cycling
- Providing a seamless journey experience where various modes of transport are integrated, including bus and rail services
- Providing an accessible and inclusive offering of transport modes to both local residents and visitors
- Improving connections between communities which may not be as well-served by public transport

While infrastructure and transport services may be identified as areas for improvement, there may be other, smaller scale enhancements that can be made such as better provision of information or additional cycle racks. Network Rail's Planning team welcome further discussions with the council to gain a better understanding of how we can work together to improve access to the railway and integrate first and last mile thinking into the scheme plans, taking into account the various component parts of passengers' journeys and wider plans for the local area.

Policy T3 Active Travel – this has the broad support of Network Rail but should be strengthened to reflect walking/cycling as the first choice for local journeys; and for longer journeys part of an integrated bus/train transport chain that allows people to continue seamlessly.

Network Rail will support planning schemes within active travel distance of railway stations that provide continuous, direct and safe pedestrian/cycle routes that will serve rail passengers. Pedestrian routes should be prioritised over vehicles, meaning all schemes should be designed so that vehicles wait for walkers/cyclists, not the other way around.

#### Transport Infrastructure

Accessibility should be built into new development in the form of active travel networks, which will enhance permeability in people's transitions between areas. Development requiring additional road capacity should not go ahead, except as a last resort.

Policy T1 – in general this is supported. References to a 'coordinated package of infrastructure improvements' along the A27 should be replaced with a 'coordinated package of active travel and public transport improvements infrastructure', as this is more specific in emphasising that car transport should be minimised as much as possible.

Policies T2 and I1 – in general these are supported in the sense they promote seamless and continuous active travel arrangement and minimise car use. However, references should be made to the concept of 15–20-minute neighbourhoods that provide a wide range of services within this walk time. The provision of amenities and leisure facilities within a 15-minute walk should be a cornerstone idea that drives mid to long term infrastructure goals for Chichester. Owing to the considerable amount of development anticipated by the Council, there is ample opportunity for local businesses and retailers to provide services within these local neighbourhoods.

#### Railway Station Considerations

As a public funded company, Network Rail has responsibilities to spend public funds efficiently which consequently means we do not have the funds available to mitigate the impact of third-party development on railway stations. Where a significant amount of rail trips are generated by a third-party development, Network Rail expect that the development provides a contribution to mitigate the addition usage, ensuring that the rail network can continue to operate effectively. The contributions will encourage greater use of public transport by enhancing the rail experience for passengers.

The Local Plan has proposed site allocations across the district, for this reason the resulting increase to the use of stations should be recognized and mitigated against so that rail travel remains an attractive mode of transport. Failure to upgrade stations will result in less rail passengers which is counter productive to the Council's goals of a thriving public transport system.

Southbourne and Fishbourne Stations - Network Rail have concerns about the impact of future development on Southbourne and Fishbourne stations. As the stations themselves are small-sized, large-scale accessibility improvements would be potentially difficult. As a result, the provision of cycle parking facilities at both stations should be considered as crucial by the Council to ensure the station environment continues to modernize and encourage passenger use. This also ensures the stations integrate with proposed cycle/pedestrian routes across the area.

#### Level Crossing Considerations

As part of Network Rail's license to operate and manage Britain's railway infrastructure, Network Rail have the legal duty to protect rail passengers, the public, the railway workforce, and to reduce risk at our level crossings so far as is reasonably practicable. Improving Level Crossing safety is therefore one of Network Rail's key priorities.

Closing level crossings is the only way to fully eradicate the risk. However, it is not always possible or practicable to immediately close all level crossings. Aside from financial and practical constraints, user convenience still needs to be a key consideration. A broad range of targeted interventions and initiatives are therefore needed to manage safety at crossings which remain open.

Any new development would need to provide an assessment of the impact on any nearby Level Crossings and in some cases, planning obligations may be required to mitigate the impacts on it.

Policy A13 Southbourne Broad Location for Development - Several strategic sites have been identified across the district, with a significant amount west of Chichester which require reconsideration. Policy A13, which proposes 1050 new homes, will result in significant upturns in use of the Penny Lane and Church crossings, which are currently public footpath crossings and have high risk factors. Large-scale development could therefore warrant closure or installation of a footbridge. The Council should be aware of this as these projects are costly and would require requisite funding.

Network Rail are in the process of completing a risk assessment on the affected crossings. However, for context we recently reviewed the Copse level crossing (located approximately 1.9km eastwards from Penny Lane) which resulted in a 300% use increase from a 112home development (Planning Application SB/22/01283/FULEIA).

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Response - <https://chichester.oc2.uk/a/spn>

## Object

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Forestry Commission (Richard Cobb) [8202]

#### Summary:

Forestry Commission provides advice, does not support or object.

We note that more detailed proposals will emerge as part of a Neighbourhood plans. We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this). The policy could be improved by highlighting its importance and high priority as part of efforts to protect, enhance, expand and connect habitats as part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area. The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development.

#### Full text:

Please note that as a Non-Ministerial Government Department, we provide no opinion supporting or objecting to planning applications or local plans

including their soundness or legal compliance.

Rather we are including advice and information that we advise the Council consider to ensure their pre-submission local plan avoids potential impacts and promote enhancements/expansion as part of the proposed local plan regarding trees and woodland, including ancient woodland. We acknowledge that the purpose of Regulation 19 consultations does not usually extend to making substantial changes which are not related to soundness so we offer our advice as helpful guidance to ensure the local plan takes every opportunity to secure the protection, enhancement and expansion of Chichester's valuable trees and woodlands to comply with planning policy, good practice and to make the most of the many benefits they provide to the environment, local economy and community.

#### Overall Comments

Ancient woodlands, veteran and ancient trees are irreplaceable habitats, and it is essential that they are considered appropriately to avoid any direct or indirect effects that could cause their loss or deterioration, in line with Government Standing Advice. Ancient Woodland has very high potential ecological value and should act as integral focal points, alongside other locally and nationally designated sites, as part of delivering landscape scale nature recovery.

Any development or plan that include these irreplaceable habitats on or near to the site should aim to deliver high standards of net gains and ecological connectivity that supports wider ecological networks, in line with good practice. This will also be a requirement as part of the local nature recovery strategies being driven by the Environment Act 2021 and we advise that plans should anticipate this to maximise environmental benefits to contribute to reversing the national trend of ecological decline as part of broader nature recovery networks. The Local Plan should be considered as a crucial and timely opportunity to secure significant and strategic, plan-led environmental gains due to their scope and scale, particularly given the timescales of development being influenced that coincide with UK Government commitments regarding halving emissions and protecting 30% of nature by 2030, towards a net-zero carbon and nature positive economy.

The development strategy should prioritise the protection of trees and woodlands with the highest priority being given to ancient woodland, ancient and veteran trees as individual habitats and as part of wider ecological networks.

#### Site Allocation comments:

##### Policy A7 Land at Shopwyke (Oving Parish)

Site specific considerations could recognise the existing trees, hedgerows and woodland and prioritise their protection, enhancement and expansion as part of biodiversity net gains. Acoustic screening referred to could also use trees to make the most of multi-functional benefits they bring.

##### Policy A8 Land East of Chichester

We welcome efforts to bolster the existing woodland and the proposed strategic wildlife corridor to the East and the enhancements that development could bring.

##### Policy A11 Highgrove Farm, Bosham

Bolster planting to North, South and East is welcome. This policy could be improved by requiring bolster planting to the West as well, where there appears to be an existing line of trees, making it well placed to further contribute to wider connectivity with existing and additional planting.

##### Policy A12 Chidham and Hambrook and Policy A13 Southbourne Broad Location for Development

We note that more detailed proposals will emerge as part of a Neighbourhood plans. We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this). The policy could be improved by highlighting its importance and high priority as part of efforts to protect, enhance, expand and connect habitats as part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area. The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development

##### Policy A14 Land West of Tangmere

The requirement for significant levels of green infrastructure is welcome. This policy could be strengthened by requiring development to retain and bolster existing hedgerows and trees wherever possible.

##### Policy A16 Goodwood Motor Circuit and Airfield and Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

##### Policy A21 Land east of Rolls Royce

This area contains areas of existing trees, hedgerow and woodland which are not currently mentioned by the policy. We would encourage any development to be sensitive to this and provide additional planting where possible.

#### Overarching comments

We would welcome the consideration of incorporating large and small pockets of multi-functional woodland as part of green infrastructure provision for development, particularly given the relatively low proportion of woodland found throughout the District, and the benefits this can have as 'stepping stones' between habitats as part of the Local Plan's welcome vision of strategic wildlife corridors.

We also encourage the Council to appraise the plan against the following advice to maximise the benefits from protection, enhancement and expansion of woodlands, trees and connectivity throughout the District:

#### Additional improvements to consider

- Tree/hedgerow removal is considered as a last resort but where it is justified, we advise that developments can aim to deliver no net deforestation to help encourage development that provides an overall environmental gain. Where trees are required to be removed, additional tree planting will be made to compensate for this loss and we would advise that additional planting should be made to help compensate for the loss of habitat in the time it takes for new trees to mature.
- Long term management and maintenance of planted trees and woodland creation to give them every chance to becoming established and where trees do fail, they are replaced
- A minimum standard for tree canopy cover for new developments (e.g. for large-scale developments) as it provides a targetable level of green infrastructure in relation to trees for the numerous ecosystem services they provide.
- Precautions should be incorporated into any woodland design and tree planting to ensure that habitat creation is established successfully and that potential impacts from deer are managed on site and in the surrounding area as appropriate. See here for further guidance that should be followed for managing impacts from deer as part of woodland creation and tree planting: <https://www.gov.uk/government/publications/woodland-creation-and-mitigating-the-impacts-of-deer/woodland-creation-and-mitigating-the-impacts-of-deer> Some good practice advice is also provided in Appendix 1 of this letter.

• We advise that any tree planting should meet the following:

o Trees should be healthy and good practice biosecurity should be followed to prevent the risk of spreading pests and disease, in line with Government advice: <https://www.gov.uk/government/collections/tree-pests-and-diseases>. More information on the plant healthy can be found at: Welcome to Plant Healthy - Plant Healthy

o Created or restored habitat should be managed in perpetuity in line with a robust management plan that follows good practice to ensure assumed benefits of created habitats are delivered in practice (see Standing Advice referred to on page 1). We recommend meeting the UK Forestry Standard to demonstrate this.

• To help mitigate climate and support local economy would urge council to develop local plan policy that makes use of locally sourced timber. This has multiple benefits as it can help store carbon within development, reduce impact from transportation, reduce embodied carbon from alternative materials and support local economies and communities.

• Where developments incorporate District Heating, consider locally and sustainably sourced wood-fuels for the benefits this can have for renewable energy and towards a local, circular economy

• Use tree planting as part of nature based solutions for managing flood risk as well as other multi-functional benefits from green infrastructure as part of any development (e.g. Trees and woodlands provide £400 million of value in flood protection)

• We encourage the Council to refine their strategy to trees and woodlands using the recently launched 'Trees and Woodland Strategy Toolkit' available here: <https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/> to design and deliver a local tree strategy to harness the long-term benefits that trees can bring to local communities. The local plan should be developed with tree/woodlands in mind as an integral part, alongside other supplementary strategies for the environment including biodiversity, green infrastructure, nature recovery and climate change.

Key guidance regarding trees, woodland and development

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 180(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In considering the impacts of the development on Ancient Woodland, Ancient and Veteran trees, the planning authority should consider direct and indirect impacts resulting from both construction and operational phases.

Please refer to Natural England and Forestry Commission joint Standing Advice for Ancient Woodland and Ancient and Veteran Trees, updated in January 2022. The Standing Advice can be a material consideration for planning decisions, and contains advice and guidance on assessing the effects of development, and how to avoid and mitigate impacts. It also includes an Assessment Guide which can help planners assess the impact of the proposed development on ancient woodland or ancient and veteran trees in line with the NPPF.

Existing trees should be retained wherever possible, and opportunities should be taken to incorporate trees into development. Trees and woodlands provide multiple benefits to society such as storing carbon, regulating temperatures, strengthening flood resilience and reducing noise and air pollution.[1] Paragraph 131 of the NPPF seeks to ensure new streets are tree lined, that opportunities should be taken to incorporate trees elsewhere in developments, and that existing trees are retained wherever possible. Appropriate measures should be in place to secure the long-term maintenance of newly planted trees. The Forestry Commission may be able to give further support in developing appropriate conditions in relation to woodland creation, management or mitigation.

Biodiversity Net Gain (BNG): Paragraph 174(d) of the NPPF sets out that planning (policies and) decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 180(d) encourages development design to integrate opportunities to improve biodiversity, especially where this can secure net gains for biodiversity. A requirement for most development to deliver a minimum of 10% BNG is expected to become mandatory from November 2023. The planning authority should consider the wide range of benefits trees, hedgerows and woodlands provide as part of delivering good practice biodiversity net gain requirements. Losses of irreplaceable or very high distinctiveness habitat cannot adequately be accounted for through BNG.

**Change suggested by respondent:**

The policy could be improved by highlighting its importance and high priority as part of efforts to protect, enhance, expand and connect habitats as part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area. The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Forestry Commission Planning Guidance Annex 1.pdf - <https://chichester.oc2.uk/a/t5r>

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Landowner at Champions Farm, Wisborough Green [8136]

**Agent:** Southern Planning Practice (Alice Drew, Principal Planning Consultant) [8135]

**Summary:**

The Southbourne allocation has been talked of for some time, however it has not yet come to fruition. The new allocation has significantly increased housing numbers since the current Local Plan policy and is too vague in its current form. It is impossible to deduce how the figure of 1,050 dwellings is arrived at. There is a reliance on sites coming forward within this broad allocation, however there is no guarantee of this even over the later stages of the plan. The identification of sites as Broad Locations does not guarantee that they will be released for housing. There should be a reasonable prospect that the site is available and could be viably developed. If the development comes forward in a piecemeal way this could impact on affordable housing provision.

**Full text:**

Summary

Southern Planning Practice Ltd are instructed by the landowner to submit representations to the Proposed Submission version of the Chichester Local Plan 2021- 2039, published in February 2023. Shorewood Homes, a local developer, have an interest in land at Champions Farm, Wisborough Green and are currently working collaboratively with the landowner.

The site is located to the south of Newpound Lane and to the north of Billingshurst Road (A272) in Wisborough Green. The site is located within the northern area of the district and is closely related to the main urban area of Billingshurst, which is located in the neighbouring authority Horsham District Council.

It is understood that the site has not been previously promoted through the Local Plan process. We can confirm on behalf of our client that the site is now available for development.

In order for the Proposed Submission Local Plan to meet the 'positively prepared' test of soundness as required by paragraph 35 a) of the National Planning Policy Framework (NPPF), the Local Plan Review must:

"provide (ing) a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development".

Whilst the constraints of the northern area of the district are appreciated, there are several sustainable sites, outside of the National Park and other constrained landscapes, which would assist Chichester to meet their identified housing needs. One such site is the land at Champions Farm in Wisborough Green. The western section of the site could be delivered in the short-medium term and the eastern section could be delivered in the longer term which would contribute to Chichester's future housing supply.

Any new residential development on land at Champions Farm would contribute to the achievement of the 7 strategic objectives of the Local Plan and would also help to boost the housing supply in the short-medium term.

**Change suggested by respondent:**

We consider that the council should be less reliant on major strategic allocations and look to allocate a range of additional small, medium, and large sites to provide a more flexible, responsive, and deliverable range of allocations. As recognised above, such an approach is encouraged at Paragraph 69 of the National Planning Policy Framework which acknowledges that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly.

By allocating more sites for housing development, the Council will bolster their housing land supply. Through the allocation of more sustainable sites in service villages, the Council will provide support for the rural, northern area of the district. We therefore encourage the Council to review their site allocations in line with their spatial strategy and together with the policy requirements of Policy H3 to ensure they are planning for the right homes in the right places over the plan period and beyond.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Land at Champions Farm - Representations to CDC - <https://chichester.oc2.uk/a/sk7>



**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Hampshire County Council (Laura McCulloch, Head of Spatial Planning) [8161]

**Summary:**

Southbourne settlement hub will require its own Transport Assessment at planning application stage in order to fully identify local and cross-boundary impacts on A259 route crossing into Hampshire. Masterplanning of Southbourne settlement hub beneficial to prevent high levels of car dependency and to ensure site has connections to public transport and new facilities/services can be accessed by walking and cycling trips by new residents and those from adjacent residential areas. Closer attention to masterplanning of new sites for high quality neighbourhoods and for needs of all road users to be assessed using a Road User Utility Framework are key policy components of Hampshire's emerging Local Transport Plan 4.

**Full text:**

Thank you for consulting Hampshire County Council on the Chichester District Council Local Plan. The County Council in its capacity as a neighbouring highway authority has focussed this response on the potential implications of the cross-boundary transport issues associated with the Chichester local plan spatial development strategy, and the potential impact on the Hampshire local highway network and wider Solent area.

**Transport evidence base**

The transport evidence is provided by two studies; the Strategic Development Options and Sustainable Transport Measures (December 2018) which looked at three local plan scenarios, followed by the Chichester Transport Study (Jan 2023) which assessed one local plan spatial scenario. Hampshire County Council was not engaged in discussions on the scope of either of the transport studies. The studies assessed the impact of local plan development allocations on the highway network within Chichester district and in the neighbouring Hampshire districts. They looked at the highway impact on the A27 and A3 trunk roads in Hampshire, but as these roads are part of the Strategic Road Network, they are the responsibility of National Highways.

The main cross boundary route is the A259 which runs from the A27 Warblington junction in Hampshire eastwards through Emsworth towards Brighton. The A259 section in Hampshire is the responsibility of Hampshire County Council, but neither of the transport studies give an assessment of the highway impact on the section of the A259 within Hampshire. Instead, the conclusion of the Transport study (2018) states that for Hampshire there is a negligible impact on the operation of the A27 Havant Bypass roundabout and the A3(M)/A27 junction and that the majority of traffic projected within Hampshire was identified to travel east west and north south along the A3(M) and the A27.

Hampshire County Council does not consider that the studies give sufficient evidence to substantiate this conclusion. The subsequent Transport study (2023) then concludes that with mitigation in place within Chichester district the impacts of the emerging local plan development on network performance in Hampshire are likely to be comparable to the baseline scenario. There is no mention or indication of the cross-boundary impact on the A259 or other routes in Hampshire.

Hampshire County Council assert that there is insufficient evidence to provide a full understanding of the scale of impact on the local highway network in Hampshire, or to say definitively that there is not a severe impact on the A259 in Hampshire. The County Council would therefore support a dialogue with Chichester District to discuss the cross-boundary transport issues specifically those associated with the A259 route within Hampshire.

**Proposed Southbourne settlement hub (policy A13)**

The local plan proposes a new settlement hub of 1,050 dwellings (policy A13) located in Southbourne along the A259 and just east of the Hampshire boundary. To travel westwards from Southbourne to the A27 Warblington junction in Hampshire the only direct route is along the A259 which crosses into Hampshire. The transport studies do not state how the highway impact of the proposed Southbourne settlement hub was assessed and whether this included an assessment of the A259 corridor into Hampshire.

It is the County Council's view that the transport evidence does not, at this stage, provide an adequate consideration of the impact on the local highway network in Hampshire, and specifically on the A259.

The Southbourne settlement hub will require its own Transport Assessment at the planning application stage in order to fully identify the local and cross-boundary impacts on the A259 route which crosses into Hampshire.

Masterplanning of the Southbourne settlement hub would also be beneficial to prevent high levels of car dependency and to ensure that the site has connections to public transport and that the new facilities and services can be accessed by walking and cycling trips both by the new residents and those from the adjacent residential areas. A closer attention to masterplanning of new sites for high quality neighbourhoods and for the needs of all road users to be assessed using a Road User Utility Framework are key policy components of Hampshire's emerging Local Transport Plan 4.

**Transport mitigation**

The proposed mitigation in the transport studies focuses on highway capacity improvements along the A27 corridor within Chichester district. There is no mitigation proposed on the Hampshire highway network.

In addition to highway capacity mitigation, several options for sustainable transport mitigation were considered for the medium to long term. A proposal for a strategic cycle route from Chichester to Emsworth (the 'Chem route') along the A259 is included in the Chichester IDP and West Sussex LTP. The County Council recognise that there is potential for this scheme to provide a high-quality cycle corridor for walking and cycling trips and to serve the proposed Southbourne settlement hub. However, the Chem route as presented ends at the Hampshire boundary and fails to consider the continuation of the cycle route along the A259 into Hampshire. Continuing the Chem route into Hampshire would connect with the cycle routes in the Havant LCWIP and provide a key cross-boundary sustainable transport route and links to key destinations in Hampshire.

**Change suggested by respondent:**

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szj>

**Object****Document Element:** Policy A13 Southbourne Broad Location for Development**Respondent:** Metis Homes [1602]**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]**Summary:**

Unrealistic to suggest delivery will occur as early as 2028 therefore Council cannot demonstrate delivery of 1,050 dwellings over Plan period; issue could be addressed by bringing forward development within BLD earlier without undermining BLD objectives; two land parcels in area promoted: Land at 'Harris Scrapyard & Oaks Farm' (HSOF) and 'Land East of Inlands Road' (LEOIR). Extent of BLD should be expanded to include wildlife corridors - delivery and management of wildlife corridors can only be secured if they become an integral part of BLD alongside planned development.

**Full text:**

See attachments.

**Change suggested by respondent:**

Propose changes to following paragraphs:

"Provision will be made for a mixed use development within the broad location for development at Southbourne, as shown on the Key Diagram.

Development proposals for Land within the broad location

will ensure that the comprehensive development of the area and the delivery of 1,050 dwellings, local employment opportunities and supporting community uses and facilities is not prejudiced."

"Development should ensure that comprehensive development is achieved, including high-quality design and layout that integrates well with the surrounding built and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good access to facilities and sustainable forms of transport."

"6. Ensure the provision of supporting infrastructure made necessary by development within the broad location, including education provision, community facilities and transport in accordance with the most up to date evidence of need;"

"9. Demonstrate that development would not have an adverse impact on the nature conservation interest of identified sites and habitats including, where possible, the delivery of strategic wildlife corridors and provision for long-term management to maximise wildlife protection and enhancement;"

"Development proposals which prejudice the delivery of infrastructure provision required for the area will not be permitted."

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>**Support****Document Element:** Policy A13 Southbourne Broad Location for Development**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]**Summary:**

Reword 4 to give more emphasis to active travel and public transport and less emphasis to highways

"Provide a suitable means of access to the site focused with active travel links to Southbourne Railway station that must be continuous, direct, safe, attractive, comfortable securing off site improvements to ensure this is available before first occupation, together with improvements to facilitate service and delivery vehicle access if required, in conformity with the Policy T1.... and T2....to ensure where access to available locally sustainable transport is used" This is dependent on policies T1 and T2 amended as requested in this consultation response.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>**Object****Document Element:** Policy A13 Southbourne Broad Location for Development**Respondent:** The Chichester Society (Mr Peter Evans, Chairman) [8021]**Summary:**

Southbourne development: if 1,000+ new homes are to be developed on farmland around Southbourne, it is important to safeguard the character of this community and adjoining villages along the A259.

**Full text:**

See attached representation.

**Change suggested by respondent:**

As well as defining the strategic gaps on either side of the expanded settlement, the Plan should include a new interchange with the A27 at Southbourne. The Society believes it is reasonable to ensure that traffic from new Southbourne housing is directed to the A27, and not the A259.

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** CHI-SOCIETY-LOCAL-PLAN - <https://chichester.oc2.uk/a/spj>

**Object**

**Document Element:** Policy A13 Southbourne Broad Location for Development

**Respondent:** Natural England (Heather Twizell) [8189]

**Summary:**

[RECEIVED LATE]

Requirement 6 in policy A12 (Chidham and Hambrook) currently goes straight to "successfully mitigate" while requirement 10 in policy A13 (Southbourne) states "Provide mitigation to ensure the avoidance of adverse effects on the SPA, SAC and Ramsar site at Chichester Harbour." Policy A18 (Thorney Island) is better as it states "Proposals must avoid adverse impacts on the Chichester Harbour AONB/SAC/SPA and Ramsar designations." We would suggest that all policies require development proposals to 'avoid, and if necessary mitigate, any adverse effects...'

**Full text:**

See attachment.

**Change suggested by respondent:**

Advise wording in 'Broad Location for Development' policies for Chidham and Hambrook (A12) and Southbourne (A13) be strengthened to better reflect the mitigation hierarchy. Suggest that all policies require development proposals to 'avoid, and if necessary mitigate, any adverse effects...'

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** HRA Advice - <https://chichester.oc2.uk/a/t53>

**Object**

**Document Element:** Land West of Tangmere, 10.59

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

Not sound because it fails to provide essential information needed understand how the proposed scale of new development of 1,300 homes compares to the existing location, so this must be modified to reference that Tangmere had 1,156 dwellings (Tangmere Neighbourhood Plan 2016). This is needed to draw out the important comparator of the prospect of an increase of more than 100%. References to road A27 cannot be used in the plan without clear reference to the high levels of traffic congestion that are present development, which is a material consideration that the plan state cannot be addressed through developer contributions alone (para 8.4) and funding is not guaranteed (para 8.5). Not sound unless it acknowledges that there is 20ha of unmet demand for horticultural land in Tangmere.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergency"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversity"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"
23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

Modification is required to incorporate the missing facts that make the statement sound:

10.59 Tangmere is the largest village in the area to the east of Chichester city, has 1,156 dwellings, one convenience store, a shop that sells wedding dresses, fuel station, primary school, GP surgery and village hall, and road accessibility via the congested A27. There are extensive site-specific constraints at this site with land being used currently for viable agriculture, and there is unmet demand for 20ha of horticulture land in Tangmere.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>

Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Land West of Tangmere, 10.59

**Respondent:** Mrs Coleen Ayton [7845]

**Summary:**

I feel this is not justified as it does not take into account of reasonable alleviations.

Increasing the houses in Tangmere by doubling the volume from 1,100 houses at present by another 1,300 without any infrastructure in place i.e. roads/medical centre/school.

**Full text:**

I feel this is not justified as it does not take into account of reasonable alleviation.

Increasing the houses in Tangmere by doubling the volume from 1,100 houses at present by another 1,300 without any infrastructure in place i.e. roads/medical centre/school.

**Change suggested by respondent:**

Reduce the number of houses proposed by two-thirds.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Para-10.59\_Redacted - <https://chichester.oc2.uk/a/s57>

Para-10.62 - <https://chichester.oc2.uk/a/s58>

Para-10.61 - <https://chichester.oc2.uk/a/s59>

## Object

**Document Element:** Land West of Tangmere, 10.59

**Respondent:** Mr Brian Ayton [7960]

**Summary:**

I feel that this is not sound as it fails to detail essential information to understand how the development of another 1,300 houses and the impact this will have on the road A27 without clear reference to the already high levels of traffic congestion.

**Full text:**

Paragraph 10.61 is not sound as it is inconsistent with the sustainability appraisal as it does not protect the natural environment. I am very concerned to the extent and proximity of the proposed housing development to Saxon Meadow.

**Change suggested by respondent:**

The monitor and manage strategy needs to be changed to predict and provide future infrastructure to improve the congestion problems on the A27 and all surrounding roads in Chichester.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Para-10.61 - <https://chichester.oc2.uk/a/s5v>

Para-10.59 - <https://chichester.oc2.uk/a/s5b>

A14 redacted paper submission - <https://chichester.oc2.uk/a/sky>

## Object

**Document Element:** Land West of Tangmere, 10.59

**Respondent:** Mr John Newsom [7971]

**Summary:**

The plan is not sound because the increased traffic and number of cars using Tangmere Road will impact on the dangers of the T-junction at Tangmere Road (with Church Lane). There are already incidents at this junction and the sheer volume of traffic is likely to increase the number of incidents/accidents at this junction. The volume of traffic in relation to the proposed 1300 houses given that each home is likely to have at least one car owner (conservative estimate) will impact on the dangers posed by the T junction to road users. The visibility is [word unclear] poor at this T junction (Church lane and Tangmere Road).

**Full text:**

See representations

**Change suggested by respondent:**

Road safety around this T junction needs to be [words unclear] for traffic/road usage to improve the visibility around it to minimise the potential for an increase in accidents as a direct result of increased traffic and road use. The sheer density of the traffic from the development means that improved visibility and road safety around it is paramount. A detailed analysis [word unclear] needs to be done to assess how best to improve road safety at this junction for all road users (drivers, pedestrians, cyclists etc).

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Para-4.91 - <https://chichester.oc2.uk/a/s6t>

Para-10.59 - <https://chichester.oc2.uk/a/s63>

## Object

**Document Element:** Land West of Tangmere, 10.59

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

The range of facilities is limited to small Co-op grocery store with combined post office and a wedding dress shop. You have vastly underestimated the needs for a community you propose to double in size. The only provision is for a 5-7 year old nursery. Vastly inadequate, no consideration for upper schooling. GP Surgery is currently not taking any new patients, inadequate resource for proposed expansion. Road access not good - with extra 2500 cars requiring access.

**Full text:**

The range of the facilities is limited to small Co-Op grocery store with combined post office and a a wedding dress shop.

You have vastly underestimated the needs for a community you propose to double in size.

The only provision is for a 5-7 year old nursery. Vastly inadequate, no consideration for upper schooling.

GP Surgery is currently no taking any new patients, inadequate resource for proposed expansion.

Road access Not good - with extra 2500 cars requiring access.

**Change suggested by respondent:**

You need to recognise the complete inadequacy of the existing grocery shops for an additional 2500 -3000 people. You need to make provision for upper school places. You need to develop a expanded medical centre plan. Your traffic estimates will need revision to your access to M27. You have no policing plan. What about Dental amenities? Flooding issues in Church Lane not addressed. No consideration in the plan for protected wildlife species newts and bats. Allotments move to Church Lane has been heavily opposed by allotment folk due to flooding of the proposed new site.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Land West of Tangmere, 10.59

**Respondent:** Morag Mills [8155]

**Summary:**

Plan unsound due to strain of additional housing on existing infrastructure including: road network and congestion; GP surgery at capacity; impact on air quality.

**Full text:**

The plan is not sound because it does not consider the additional burden 1300 houses will place on the infrastructure around Saxon meadow and the village of Tangmere which is already at breaking point and under enormous pressure. For example, the roads are inadequate to deal with the existing traffic, the GPs' surgery is full which means it is already difficult to get an appointment - how will it cope with additional demand. Also the access to the ambulance distribution points needs to remain clear and the amount of traffic caused by the sheer volume and number of cars without proper investment in the roads will create gridlock/congestion. Insufficient consideration of the infrastructure and investment in it to cater for the additional homes proposed means the policy is not sound Increase traffic will impact on the quality of air.

**Change suggested by respondent:**

Significantly reduce the density of the planned building and reduce the number of homes proposed. Invest properly in road infrastructure to cater for the increased demand and provide alternative options for transport e.g. a railway to give people a viable option other than using their cars. A proper survey about the impact of the development on existing infrastructure should be carried out.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Morag Mills - redacted - <https://chichester.oc2.uk/a/sz4>

## Object

**Document Element:** Land West of Tangmere, 10.60

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

The local plan is not legally compliant because it fails to make provision for the necessary infrastructure, nor provide a genuine choice of transport modes, despite the clear recognition that investment and capacity would be needed in relation to both road and rail, which may not be compatible with para 73 of the National Planning Policy Framework.

The policy is not sound because it fails to address both road and rail issues and provides no genuine alternatives, which is not an effective approach considering Objective 7 (page 32) requires the council to deliver strategic infrastructure on a timely basis, and so falls far short of what it is reasonable for the council to do in this planning period.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

**Appendix 1: list of policies that I support**

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergency"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversity"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"
23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

Modification is required to incorporate the missing facts that make the plan sound and legally compliant:

10.60 The Local Plan identifies Tangmere as being capable of accommodating further sustainable growth to enhance and develop its role as a settlement hub, through the provision of new housing and infrastructure to support the new development and the existing village but this would need to be consistent with sustainable development, as defined by NPPF. The council will work to ensure that there is timely delivery of road and train services to provide a genuine choice of transport modes to support growth.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>

Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Land West of Tangmere, 10.60

**Respondent:** Mr John Wolfenden [7853]

### Summary:

To take a community of 3000 people and double it to 6000 in one plan is totally unacceptable and requires more than marketing statements to achieve. The assumption of adequate infrastructure in proposed road and minor adjustment to schools is insultingly inadequate. The existing 'village' will be consumed by such an expansion and its social and economic make up completely obliterated. Bringing in vast social housing tenants into an entrepreneurial neighbourhood will not be a comfortable integration. A consultation with the police would be worthwhile to understand the increase in crime that is predictable.

### Full text:

To take a community of 3000 people and double it to 6000 in one plan is totally unacceptable and requires more than marketing statements to achieve. The assumption of adequate infrastructure in proposed road and minor adjustment to schools, is insultingly inadequate. The existing 'village' will be consumed by such an expansion and its social and economic make up completely obliterated. Bring in vast social housing tenants into an entrepreneurial neighbourhood will not be a comfortable integration. A consultation epithet the police would be worthwhile to understand the increase in crime that is predictable.

### Change suggested by respondent:

You need to consult with

Police - predictable increase in crime rates and policing needs

Hydrologists - ground water studies and proposal for flood avoidance

Social services - impact of social mix change

NHS - to create midwife and district nursing strategy

Doctors - to plan for rapid expansion of available GPs

Dentists - to create NHS dentist to cater for social housing influx

Schools - build a long term plan for primary and secondary education services.

Allotments - create plan to listen to current objections and make funds available for proper move of the existing allotment members.

Water boards - get proper groundwater runoff and foul water plan

Geologists - understand the geological issues in building on an out-washed, high water level, post Pliocene plain.

Qualified urban planners - to look at the socioeconomic mix of dwellings and use best practices for integration of diverse communities

Statisticians - to work out traffic flows and parking requirements

BT OpenReach - engage with them to upgrade all telecommunications and move them from 30 mbs to Superfast fibre.

Ambulance and Fire service - establish changes required to their infrastructure to cope with 3000 more people

The National Grid - to establish the capability to provide 1000 plus 100watt charging points to cater for the new green energy world. Current National grid will struggle to provide such capability, who will pay?

Special Conservation Area - make sure there are no satellite dishes, log burners, solar panels, noise producing ground source pumps etc all outlawed in the conservation area.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Land West of Tangmere, 10.61

**Respondent:** Mr Matthew Rees [7841]

### Summary:

Not sound because material changes have occurred to the housing market but have not been reflected in the plan.

Not legally compliant because fails to apply the Statement of Community Involvement principles, through the omission of a clear and transparent reason why CDC ignored 2016 Tangmere Neighbourhood plan by proposing 30% more homes and is not justified given events since 2019.

Not legally compliant because CDC failed to demonstrate accountability through inclusive and accessible consultation by only writing to notify 2 deceased residents of Saxon Meadow, Tangmere. CDC should have done more to consult the current residents of Saxon Meadow.

The current master plan is not sound, not sustainable, incompatible with protection of conservation areas P 11 as it would not protect important views into and out of the site



**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

**Appendix 1: list of policies that I support**

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26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

Modification is required to make the plan sound and legally compliant:

- 10.61 The Tangmere Neighbourhood plan in 2016 stated that there were 1,156 dwellings in the parish of Tangmere and a plan for 1,000 additional homes. [delete remaining paragraph].

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
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 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>

Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Land West of Tangmere, 10.61

**Respondent:** Mrs Coleen Ayton [7845]

**Summary:**

This is not sound as I feel that 1,300 proposed houses will increase by 46 x bigger than the Saxon Meadow Development which will threaten our communal space, our rights of way and the protection of the conservation area, and will effect our mental health due to noise and light pollution.

**Full text:**

I feel this is not justified as it does not take into account of reasonable alleviation.

Increasing the houses in Tangmere by doubling the volume from 1,100 houses at present by another 1,300 without any infrastructure in place i.e. roads/medical centre/school.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Para-10.59\_Redacted - <https://chichester.oc2.uk/a/s57>

Para-10.62 - <https://chichester.oc2.uk/a/s58>

Para-10.61 - <https://chichester.oc2.uk/a/s59>

## Object

**Document Element:** Land West of Tangmere, 10.61

**Respondent:** Mr Brian Ayton [7960]

**Summary:**

Paragraph 10.61 is not sound as it is inconsistent with the sustainability appraisal as it does not protect the natural environment. I am very concerned to the extent and proximity of the proposed housing development to Saxon Meadow

**Full text:**

Paragraph 10.61 is not sound as it is inconsistent with the sustainability appraisal as it does not protect the natural environment. I am very concerned to the extent and proximity of the proposed housing development to Saxon Meadow.

**Change suggested by respondent:**

There should be a reduction in the number of houses proposed and a wider separation distance from Saxon Meadow.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Para-10.61 - <https://chichester.oc2.uk/a/s5v>

Para-10.59 - <https://chichester.oc2.uk/a/s5b>

A14 redacted paper submission - <https://chichester.oc2.uk/a/sky>

## Object

**Document Element:** Land West of Tangmere, 10.61

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

Your plan has not demonstrated a capability to increase magically from an arbitrary figure of 1000 to 1300 without severe increase in density since you whitewashed the image in the original plan. This increase undermines ALL of the underlying assumptions of adequacy of infrastructure services. This appears to be a blatantly cyclical uplift in density for purely profit motives rather for a sustainable and balanced community.

**Full text:**

Your plan has not demonstrated a capability to increase magically from an arbitrary figure of 1000 to 1300 without severe increase in density since you whitewashed the image in the original plan. This increase undermines ALL of the underlying assumptions of adequacy of infrastructure services. This appears to be a blatantly cyclical uplift in density for purely profit motives rather for a sustainable and balanced community.

**Change suggested by respondent:**

The additional 300 dwellings should be removed from the plan forthwith. It is an unexpected and totally absurd addition to an already onerous and overpowering displacement to our existing community.

Instead a clear amenities and other facilities plan should be developed to show how Tangmere could possibly cope with doubling of size with 1000 new homes.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

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**Object**

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**Document Element:** Land West of Tangmere, 10.61

**Respondent:** Mr John Newsom [7971]

**Summary:**

Loss of views into and out of Saxon meadow is not legally compliant.

The Plan is not sound because it fails to take into account protection of designated conservation area.

Plan impacts on residential amenity.

Full details within scanned representation

**Full text:**

See representation

**Change suggested by respondent:**

Reduce the number of homes and protect the historical view of Chichester spire and maintain a band of green open pasture land / farmland between the recognised conservation area of Saxon Meadow and the propose new builds. Move the homes so that this is a significant 'green belt' around historic Tangmere and Saxon Meadow.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** John Newsom redacted - <https://chichester.oc2.uk/a/szs>

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**Object**

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**Document Element:** Land West of Tangmere, 10.62

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

The paragraph is not sound because the reference to a "spine road" is incompatible with Policies N22, NE20, NE23 given that the spine road connecting the A27 to Tangmere Road would cause an unacceptable increase in traffic congestion, noise pollution, light pollution, reductions in air quality and will harm health and well-being. This would harm the residents of Saxon Meadow because it will be seen and heard from their properties, in place of unrestricted views over agricultural land. At present, a very attractive feature of Saxon Meadow is stargazing and I am very concerned that this benefit will be lost through the blight caused by the new development. \*\*See photo within attached pdf\*\*

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

**Appendix 1: list of policies that I support**

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
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10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
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14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
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21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
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25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

Amend the plan to include the following in order to make it sound:

10.62 The development location is situated around the western and southern edges of the village, south of the A27 and north of Tangmere Road. The site comprises approximately 73 hectares of land predominantly used for agriculture. If housing development were to take place on this site it will be accessed from either the A27/A285 grade separated junction, or Tangmere Road to the south, but there will be no direct link between the A27/A285 and Tangmere Road to respect policies NE20, P16, NE23 and avoid this being used as a short cut, and every effort possible will be made to reduce the residual harm.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>

Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Land West of Tangmere, 10.62

**Respondent:** Mrs Coleen Ayton [7845]

**Summary:**

I feel this is not sound as the 'spine road' will cause an unacceptable increase to traffic congestion which is already grid locking A27/Chichester.

**Full text:**

I feel this is not justified as it does not take into account of reasonable alleviation.

Increasing the houses in Tangmere by doubling the volume from 1,100 houses at present by another 1,300 without any infrastructure in place i.e. roads/medical centre/school.

**Change suggested by respondent:**

Tangmere village should not be used for a short cut so a direct route should be made from development to A27/A285.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Para-10.59\_Redacted - <https://chichester.oc2.uk/a/s57>

Para-10.62 - <https://chichester.oc2.uk/a/s58>

Para-10.61 - <https://chichester.oc2.uk/a/s59>

## Object

**Document Element:** Land West of Tangmere, 10.62

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

You are using high grade arable land vital to the sustainability of national food chain supplies. This plan will change forever the social economic makeup of the population. This community will be at the expense of the habitat for wild life along with reducing the permeability of the ground to increase flooding will all have profound impact. Flooding will increase, wild deer will no longer be seen across the fields, bats will disappear, newts in the ponds will disappear. This precise location ignores the Tangmere conservation Area and will make a mockery of prior legislation. There is an alternative.

**Full text:**

You are using high grade arable land vital to the sustainability of national food chain supplies. This plan will change forever the social economic makeup of the population. This community will be at the expense of the habitat for wild life along with reducing the permeability of the ground to increase flooding will all have profound impact . Flooding will increase , wild deer will no longer be seen across the fields, bats will disappear,newts in the ponds will disappear. This precise location ignores the Tangmere conservation Area and will make a mockery of prior legislation. There is an alternative.

**Change suggested by respondent:**

This whole development could be moved to old airfield and the other side of the Tangmere Road.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Land West of Tangmere, 10.63

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

Not legally compliant because CDC has not had sufficient regard to the individual needs of the residents of 28 dwellings in Saxon Meadow who face the prospect of decade of blight leading to a development that is nearly 50x bigger. CDC has not been sufficiently clear, inclusive, accessible, transparent or accountable, which is a legal requirement.

Not accountable on the basis the reference to 1,000 homes in the Tangmere Neighbourhood Plan 2016 has been omitted here, and because CDC intends to unilaterally increase the target (para. 1.20), The plan is not sound, because rather than being positively prepared, it has incorporated an increase of +30% in the planned number of houses to an unsustainable number which represents over-development.

**Full text:**

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I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

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26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

Change the plan as follows:

10.63. The Tangmere Neighbourhood Plan (made in July 2016) identifies the site for strategic development and provides design guidance and several policy aspirations to inform the masterplanning process. In particular, the Neighbourhood Plan places significant emphasis on achieving a 'village' approach where the new development will be integrated within the existing village but the lack of a train station at Tangmere is an important consideration (Sustainability appraisal, page 89) and the road network is 'operating at or close to designed capacity' (para 8.23) with no funding or upgrade plan confirmed address existing congestion and cannot be met through developer contributions alone (8.4). Strategic infrastructure will be required on a timely basis to deliver sustainable housing development at this location. But the local conditions, including the conservation area and heritage value of the area mean that development on the land to the west of Tangmere should avoid damaging what features that make it so attractive.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
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 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
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 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
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 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Land West of Tangmere, 10.63

**Respondent:** Mr John Wolfenden [7853]

### Summary:

'One village' soundbite marketing slogan is a poor representation of what is really going on. You are proposing to double the population of 'the village' by compulsory purchase, not by consensus. You leave a historic 'village' in a worse position than when you started. It is no longer a 'village' overnight you are making a heartless 'Hub' of two distinct and unintegrated settlements. Your plan fails to even integrate roads! It destroys ponds, natural habitats and veteran trees. It ignores the recommendations of the Tangmere Conservation Plan 2014.

### Full text:

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### Change suggested by respondent:

You need to provide a plan that is designed to integrate not over power and override the existing community.

Take note of lack of facilities and infrastructure in the existing 'village'.

Preservation of the local heritage.

Keep the pond, move the cycle path.

Keep the veteran tree, move the cycle path.

Maintain the wildlife habitats, move the cycle path.

There are many such unnecessary actions that this plan proposes, that could be vastly improved.

The unsustainable increased of traffic flows along the narrowest of roads 'Tangmere High Street' is a planning failure, this CPO authorises such destruction. A new road is required.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** 735FDA58-0AA3-4E7C-8811-443A5755C152.jpeg - <https://chichester.oc2.uk/a/s5c>  
 0F4184B5-D5B7-4803-BFF4-517E923711C6.jpeg - <https://chichester.oc2.uk/a/s5d>  
 FB20B66F-0643-42AD-BE46-5321E6675388.jpeg - <https://chichester.oc2.uk/a/s5w>

## Object

**Document Element:** Land West of Tangmere, 10.64

**Respondent:** Mr Matthew Rees [7841]

### Summary:

Not legally compliant as it signals the intention to use CPO powers that do not satisfy the relevant statutory requirement as this action is not necessary and not in the public interest.

Not justified as it results in disproportionate harm to the residents of Saxon Meadow, by removing rights of way to their own property and amenity space and value, in a constrained site that lacks private gardens and limited parking spaces and the naive sketches included in the outline planning fail to consider key issues including buffer zones for veteran trees (15m), water courses (8m) and the conservation area considerations on this site,

Not effective as there is no requirement to acquire the meadow from Saxon Meadow Tangmere Ltd, nor the land that provides access to Saxon Meadow from Church Lane for residents and visitors. Would result in further harms to the working population who live in Saxon Meadow who need to park their specialised vehicles used in the energy and agriculture sectors within a reasonable distance of their homes. There is a lack of suitable alternative parking in Saxon Meadow due to the absence of suitable parking, driveways or garages for these vehicles on this constrained site.

Not legally compliant as this sorry state of affairs demonstrates that CDC has failed to apply the principles set out in the statement of community involvement.

**Full text:**

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**Change suggested by respondent:**

These modifications are required to the plan:

The policy must be stop to halt all attempts to acquire, by means of CPO or any other means, any land owned by Saxon Meadow Tangmere Ltd and land used by residents / visitors for access to Saxon Meadow via Church Lane.

10.64 The site has an endorsed Masterplan (reference 19/02836/MAS) which was developed in accordance with the Chichester Local Plan, emerging Local Plan Review but is +30% more than the 1,000 homes identified in the Tangmere Neighbourhood Plan and demonstrates how the policy aspirations of the development plan will be achieved but will need to be changed to maintain the existing rights and benefits at Saxon Meadow, Tangmere to preserve and respect their right of way to and from Church Lane, customary rights over this land, and their retention of the full meadow that is part of their estate and provides important amenity value because none of the properties have their own garden. The site also benefits from outline resolution to grant Permission (reference 20/02893/OUT) but this may not be sustainable development consistent with the National Planning Policy Framework given that is a large development that lacks 2 viable modes of transport given the lack of road capacity and lack of rail services at Tangere. CDC regrets that so far is has fallen short in the application of the principles set out in its statement of community involvement will commit to reset the relationship with the residents of Saxon Meadow. CDC will cease the CPO and any other attempt to acquire, by any means, land owned by Saxon Meadow Tangmere Ltd or land that is used for the access to Saxon Meadow properties via Church Lane Tangmere or for other amenities, given that none of this land is needed for housing. CDC will engage with Saxon Meadow Tangmere Ltd, its representatives and residents to seek to respond positively to the requests that have been made to reset relationships and work constructively with them to reach a position of common ground that has the support of the residents.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>



Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Land West of Tangmere, 10.64

**Respondent:** Mr John Wolfenden [7853]

### Summary:

Your plan is incorrect. My shareholding in Saxon Meadow shows a very different plan. Saxon Meadow Ltd ( I am a shareholder) owns a field you have cut in half and drawn some trees.

The field owned by Saxon Meadow Tangmere is for the community residing in the 28 properties and represents our garden.

It is fully maintained as a meadow with our own fruit trees.

It is not required for the development and should be dropped as a part of this CPO.

### Full text:

Your plan is incorrect. My shareholding in Saxon Meadow shows a very different plan. Saxon Meadow Ltd ( I am a shareholder) owns a field you have cut in half and draw some trees.

The field owned by Saxon Meadow Tangmere is for the community residing in the 28 properties and represents our garden.

It is fully maintained as a meadow with our own fruit trees.

It is not required for the development and should be dropped as a part of this CPO.

### Change suggested by respondent:

You need to reflect that the current ownership achieves the custodianship and maintains green space for the benefit of some 28 dwellings that do not have private gardens. It is our community garden.

You are using this CPO inappropriately.

Put an orchard on your own designated green areas.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Land West of Tangmere, 10.64

**Respondent:** Mr Oliver Gale [8154]

### Summary:

The plan is not sound because the proposal to build a sports pavilion on the site will block views from Saxon Meadow to the South Downs and is therefore inconsistent with policy P11 conservation area and NE24 noise pollution and will adversely affect the environment of current resident.

### Full text:

See representation

### Change suggested by respondent:

Modification of the plan to reduce or cancel the development would protect the environment of the conservation area, reduce noise pollution and maintain or enhance the current environment.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** P11 Paper Submission - redacted - <https://chichester.oc2.uk/a/sz3>

T1 Paper submission - <https://chichester.oc2.uk/a/szv>

8.12 redacted - <https://chichester.oc2.uk/a/szb>

8.13 redacted - <https://chichester.oc2.uk/a/szc>

A14 redacted - <https://chichester.oc2.uk/a/szd>

NE5 Redacted - <https://chichester.oc2.uk/a/szw>

10.64 Redacted - <https://chichester.oc2.uk/a/szf>

A14 ORCHARD - redacted - <https://chichester.oc2.uk/a/szg>

## Object

**Document Element:** Land West of Tangmere, 10.65

**Respondent:** Mr Matthew Rees [7841]

### Summary:

This long list of factors is not sound because it fails to take account of important matters and is therefore not sound.

The section is not legally compliant because there has been a failure to apply the principles in the statement of community involvement.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

## Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergency"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversity"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Copse in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"
23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

Changes to the plan are provided below:

10.65 There are a number of site-specific issues which should be considered when planning the development and site layout in this location, including:

Taking account of the Tangmere Neighbourhood Plan including the 'One Village' aspiration to integrate the new development with the existing village, and the other design considerations contained in the Neighbourhood Plan;

Local community aspirations for new/improved facilities serving the village, including transforming the existing village centre into a local centre focused around a village main street, primary education, and enhanced recreation;

The need to addressing requirements of existing dwellings in relation to strategic infrastructure prior to development, including addressing the flooding on Church Lane, and the need for the developer to provide surface water run-off infrastructure at Saxon Meadow given that these existing dwellings rely on soak-away on the surrounding agricultural land;

The need for Southern Water to fully adopted waste water infrastructure; and the requirement for full fibre internet and modern telecommunication services to be available to residents of Saxon Meadow;

Potential physical constraints such as landscape sensitivities, particularly external views from the surrounding area including the Tangmere conservation area itself, Oving, the South Downs National Park;

High groundwater levels, particularly in the southern part of the site and Church Lane, and the need for noise mitigation measures for residential properties on the A27, for example through the use of acoustic screening;

Conserving, enhancing and better revealing the known archaeological assets within the site, to advance understanding of the significance of the assets;

Conserving and enhancing the setting of the historic village, particularly the Conservation Area and the views from within it looking out;

Appropriate separation distances from new properties, and need to avoid segmenting existing open spaces into small plots that reduce amenity value;

The archaeological and heritage assets within the surrounding area, and preserving the heritage of the World War II airfield, Commonwealth War Graves, including provision for the relocation of existing allotment space that could facilitate the expansion or relocation of the Tangmere Military Aviation Museum;

The opportunity to provide off-site green links with existing and planned development at Tangmere, and with the South Downs National Park and Chichester city, and the potential to develop strategic green infrastructure in conjunction with other planned development to the east of Chichester City;

Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District and the reinstatement of a train stop between Oving and Tangmere on the existing train line; and

The availability of minerals in the vicinity and the need to take account of the Minerals Safeguarding Area.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Land West of Tangmere, 10.65

**Respondent:** Mr John Wolfenden [7853]

**Summary:**

The 'one village' is a 'sham' as explained 10.63.

The only improvement to new facilities is two year primary school of no specified size.

A playing / recreation area needs definition there is already a recreation space.

You have ignored / forgotten increased policing required, lack of local health facilities, higher groundwater levels

Conservation area - why have rules not been expanded to new development. No dishes, aerial's, solar panels, windows facing open ground, wood burners, etc

Allotments - majority have objected, issues (sheds, poly tunnels, compost bins, cold frames, paving, ground clearance, fencing, water supply).

**Full text:**

The 'one village' is a 'sham' as explained 10.63

The only improvement to new facilities is two year primary school of no specified size.

A playing / recreation area needs definition there is already a recreation space.

You have ignored / forgotten Increased policing required, Lack of local health facilities , higher groundwater levels

Conservation area - why have rules not been expanded to new development. No dishes, aerial's, solar panels, windows facing open ground, wood burners, etc

Allotments - majority have objected , issues (sheds ,poly tunnels , compost bins , cold frames ,paving ,ground clearance, fencing, water supply)

**Change suggested by respondent:**

You need to reduce the proposed from 1300 to a more sustainable and realistic increase bearing in mind the doubling of the size of the community without proper regard to infrastructure in schooling , green space, environmental impact , social impact of highly mixed lower income community with higher density and increased social issues.

This plan does not go far enough in the assurance of any of these issues.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

Para 5 of page 256 it is not legally compliant in reference to "community orchard". The policy deprives residents of amenity value of the wildflower meadow and is incompatible with para 629 and it does not promote health and wellbeing (sustainability requirement), it is not sound nor justified because it could become a source of anti-social behaviour causing detriment to Saxon Meadow residents. It is not justified because there are no private gardens for the 28 dwellings and a more appropriate plan is to support allotment holders to cultivate fruit trees in the proposed site for allotments if they so desire.

The plan is not justified or legally compliant because there are missing references to Policy P11, in relation to the protection of the setting and views into and out of the area, and there are not sufficient provisions to ensure sufficient separation distances between Saxon Meadow and the new homes, or how the site plan will protect existing views to Chichester, Oving and the South Downs.

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

Appendix 1: list of policies that I support

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8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
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16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
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20. P97, Policy NE-23 Noise
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25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

Text below should be added and policies adjusted or implemented accordingly

**Policy A14**

Subject to an evaluation of the economic, social and environmental benefits of safeguarding 73 hectares of land to the west of Tangmere to provide agriculture and / or viticulture / horticulture, the residual parcel of land to the west of Tangmere is allocated for residential development of not more than 1,000 dwellings, community facilities and open space. If development were to proceed in this location it will be expected to address the following site-specific requirements:

1. Be planned as an extension to Tangmere village, that is well integrated with the existing village and provides good access to existing facilities
2. A range of types, sizes and tenures of residential accommodation to include specific provision to meet specialised housing needs, including accommodation for older people;
3. Incorporate new or expanded community facilities, including transforming the existing village centre into a new local centre providing new village centre amenities and not reduce any of the existing amenities enjoyed by existing residents including the right of way to their properties and their meadow;
4. Make provision to accommodate a new two-form entry primary school and associated development, including provision for an early years setting and a special support centre. Further land shall be safeguarded to facilitate the potential expansion of the two-form entry primary school to three-form entry;
5. Incorporate open space and green infrastructure, including parks, playing pitches, sports pavilion and new allotments and community orchard located adjacent to the allotments and, for the avoidance of doubt, not on the land owned by Saxon Meadow Tangmere Ltd, enabling the relocation of the existing allotments at the Tangmere Military Aviation Museum.
6. Make provision for green links to Tangmere village, and the South Downs National Park and Chichester city. Opportunities should be explored for provision of integrated green infrastructure in conjunction with the other strategic sites to the east of the city;
7. Respect important existing views of Chichester Cathedral spire and reduce any impact on views from within the South Downs National Park, particularly sensitive locations such as the Tangmere conservation area itself, views of St Andrews Church Oving from Saxon Meadow, the Trundle and Halnaker Hill and protect the setting, including views into and out of the Tangmere conservation area, consistent with policy P11.
8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a road link with no direct link to Tangmere Road to respect policies NE23, NE20, P16. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy TI (Transport Infrastructure) and T2 (Transport and Development);
9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved and additional cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. Opportunities should also be explored for improving transport links with the 'Five Villages' area and Barnham rail station in Arun District; and CDC work with relevant authorities to deliver the reinstatement of a train stop to serve Tangmere and Oving on the existing rail line.
10. Conserve or enhance the heritage and archaeological interest of the site, the historic village and its setting (particularly that of the Conservation Area which includes a meadow that will not be divided into smaller lots) and the World War II airfield, Commonwealth War Graves and other commemorative structures, including making provision for the relocation of existing allotment space to facilitate the potential expansion or relocation of the Tangmere Military Aviation Museum;
11. Occupation of development will be phased to address the existing issues of flooding at Church Lane, and requirements of existing dwellings, particularly in relation to drainage infrastructure at Saxon Meadow which must be improved by the developer given that these dwellings rely on soakaway across agricultural land for run-off. Strategic infrastructure will also include full adoption by Southern Water of the wastewater infrastructure at Saxon Meadow, and align with the delivery of infrastructure for adequate wastewater conveyance and treatment to meet strict environmental standards;
12. Proposals for the development should have regard to the West Sussex County Council Minerals Safeguarding Area and associated guidance.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>  
 Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

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**Object**

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mrs Pauline Cook [7964]

**Summary:**

Having moved to Saxon Meadow not knowing about housing development being built around my home. I feel I will lose a lovely view out of my windows and feel it will change Tangmere Village a lot and not for the better.

**Full text:**

See representation

**Change suggested by respondent:**

I think if the number of houses was reduced it would help.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Para-10.61 - <https://chichester.oc2.uk/a/s5x>

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**Object**

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mr Michael Hornsey [5696]

**Summary:**

1300 homes is not acceptable in this conservation area due to the fact that the infrastructure would not be able to accommodate the extra homes.

**Full text:**

1300 homes is not acceptable in this conservation area due to the fact that the infrastructure would not be able to accommodate the extra homes.

**Change suggested by respondent:**

Substantially reduce the number of new properties.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Para-10.61 - <https://chichester.oc2.uk/a/s6s>

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**Object**

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mrs Kathleen Tiernan [7974]

**Summary:**

This is not sound as there is not sufficient infrastructure to support more houses in Tangmere. I am [redacted] years old and the [redacted] is increasing with the volume of traffic already in Tangmere and its future regarding access to an already busy medical centre.

**Full text:**

See representation

**Change suggested by respondent:**

Build better infrastructure before development and reduce number of new houses from 1,300 to at least half.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** TIERNAN-PARA-10.59\_additional redaction - <https://chichester.oc2.uk/a/shb>

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**Object**

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mr Matthew Rees [7841]

**Summary:**

[DUPLICATION OF 4104]

Plan not sound as:

- i) does not reference HRA findings in relation of foraging distances of barbastelle bats (up to 20km)
- ii) Policy A14 (Land West of Tangmere) within foraging range of barbastelle bats from Singleton Tunnels (12km buffer).

**Full text:**

There is much to commend in this document and the supporting technical documents that accompany it, and I have listed in the appendix to this letter 26 such paragraphs and policies. I am happy for my support to be registered against these sections of your consultation document. There is also much upon which I must represent a concern, so I attach representations relating to 22 paragraphs or policies.

I am happy to participate in a hearing session, and I would flag at this stage that the common theme that links all of these representations is the need to safeguard the natural and built environment in and around Saxon Meadow, Tangmere from the risks of unsustainable development, I consider that the independent examiner should focus their review on the aspects of the local plan that relate to this matter.

Appendix 1: list of policies that I support

1. P14, 1.23, 1.24: Duty to cooperate
2. P24, para 2.30 "the council declared a climate emergency in July 2019"
3. P24, para 2.32 – "all proposal for new development should be considered in the context of a climate emergency"
4. P30: Objective 2: natural environment: "development will achieve net gains in biodiversity"
5. P43, 4.1 "National policy promotes increasing energy efficiency, the minimisation of energy consumption and the development of renewable energy sources"
6. P43, 4.3: "Some renewable energy projects provide significant opportunities to enhance biodiversity"
7. P53, Policy NE5: Biodiversity and Biodiversity Net Gain
8. P62, Para 4.42: Hedgerows and some types of woodlands are identified as a priority habitat
9. P62, Policy NE8: Proposals should have a minimum buffer zone of 15 metres from the boundary of ancient woodland or veteran trees to avoid root damage (known as the root protection area)
10. P68, Policy NE10: Criteria for Development in the Countryside - Does not prejudice viable agricultural operations or other viable uses
11. P80, Para 4.91: There are serious concerns about the impact of flooding, both in respect of current properties at risk but also the long-term management of the area.
12. 4.92: any development in the plan area must therefore have regard to flood and erosion risk.
13. 4.94: built development can lead to increased surface water run-off; therefore, new development should include SuDS to help cope with intense rainfall events
14. P81, Para 4.96: Environment Agency consent is required for any works within 16 m of tidal waters and 8m of fluvial watercourses in line with the Environmental Permitting Regulations 2016. This strip is required for access. The policy includes a setback requirement to ensure this access strip is not obstructed.
15. P80, 4.92, Any development in the plan area must therefore have regard to flood and erosion risk, now and in the future, by way of location and specific measures, such as additional flood alleviation, which will protect people, properties and vulnerable habitats from flooding. Recent changes to national guidance highlight the importance of considering flood risk from all sources, and this is particularly significant for the plan area as large parts of it are at risk from groundwater flooding, which needs to be recognised in development decisions alongside the well-established risks in relation to tidal, fluvial and surface water flooding. Appropriate mapping of all sources of flood risks is still evolving, and is likely to develop further over the plan period
16. P93, Policy NE20 Pollution: Development proposals must be designed to protect, and where possible, improve upon the amenities of existing and future residents, occupiers of buildings and the environment generally. Development proposals will need to address the criteria contained in, but not limited to, the policies concerning water quality; flood risk and water management; nutrient mitigation; lighting; air quality; noise; and contaminated land. Where development is likely to generate significant adverse impacts by reason of pollution, the council will require that the impacts are minimised and/or mitigated to an acceptable level within appropriate local/national standards, guidance, legislation and/or objectives.
17. P94, 4.127, Light pollution caused by excessive brightness can lead to annoyance, disturbance and impact wildlife, notably nocturnal animals. The design of lighting schemes should be carefully considered in development proposals to prevent light spillage and glare.
18. P94, 4.128, Dark skies are important for the conservation of natural habitats, cultural heritage and astronomy. The plan area includes three 'Dark Sky Discovery Site' designations, all located within the Chichester Harbour AONB; Eames Farm on Thorney Island, Maybush Cope in Chidham; and north of the John Q Davis footpath in West Itchenor. Development within or directly impacting these areas will be subject to particular scrutiny in terms of their impact on dark skies. The entire SDNPA area is also declared as an International Dark Sky Reserve. Development directly impacting this area will be subject to similar scrutiny.
19. P96, Policy NE22 Air Quality
20. P97, Policy NE-23 Noise
21. P142, Para 6.29, Amenity: Private space, shared space and the design quality and construction of communal spaces all contribute to amenity
22. P155-6, Policy P11: Conservation Areas "protecting the setting (including views into and out of the area)"
23. P55, Para 4.26 - The council is under a legal duty to protect designated habitats, by ensuring that new development does not have an adverse impact on important areas of nature conservation, and by requiring mitigation to negate the harm caused.
24. P58, Para 4.33 The council is under a legal duty to protect their designated bird populations and supporting habitats
25. P95, Para 4.129 The council has a duty to review and assess air quality within the district
26. P301, Conservation Area: An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas.

**Change suggested by respondent:**

To make this sound, add text to 4.32 as follows:

The Mens, Ebernoe Common and Singleton & Cocking Tunnels SACs are designated habitats for their Bechstein's and barbastelle bat populations. Applicants intending to submit proposals for development within the functionally linked conservation zones, as specified in the policy, should have regard to the Draft Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol (Natural England, 2018), or any subsequent equivalent document, and Policy NE6. It is noted that the masterplan relating to Tangmere is less than 12km from Singleton tunnel. "Barbastelle bats are known to travel substantial distances from their roosts to feeding sites. A study on barbastelle bats determined that home range distances show considerable inter-individual differences, with bats traveling between 1 and 20km to reach their foraging areas" (para 3.40, HAR), which means that the land to the west of Tangmere is within their foraging range.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Cover Letter - <https://chichester.oc2.uk/a/stj>  
 Para-1.17 - <https://chichester.oc2.uk/a/stk>  
 Para-1.25 - <https://chichester.oc2.uk/a/stz>  
 Para-2.54 - <https://chichester.oc2.uk/a/stm>  
 Para-3.14 - <https://chichester.oc2.uk/a/stn>  
 Para-4.16 - <https://chichester.oc2.uk/a/sty>  
 Para-4.32 - <https://chichester.oc2.uk/a/stp>  
 Para-4.92 - <https://chichester.oc2.uk/a/stq>  
 Para-7.21 - <https://chichester.oc2.uk/a/s3r>  
 Para-8.12 - <https://chichester.oc2.uk/a/s3s>  
 Para-8.17 - <https://chichester.oc2.uk/a/s3t>  
 Para-10.59 - <https://chichester.oc2.uk/a/s33>



Para-10.60 - <https://chichester.oc2.uk/a/s34>  
 Para-10.61 - <https://chichester.oc2.uk/a/s35>  
 Para-10.62-5-PGS - <https://chichester.oc2.uk/a/s36>  
 Para-10.63 - <https://chichester.oc2.uk/a/s37>  
 Para-10.64 - <https://chichester.oc2.uk/a/s38>  
 Para-10.65 - <https://chichester.oc2.uk/a/s39>  
 Policies-Map-10.8 - <https://chichester.oc2.uk/a/s3v>  
 Policy-10.6 - <https://chichester.oc2.uk/a/s3b>  
 Policy-A14 - <https://chichester.oc2.uk/a/s3c>  
 Policy-I1 - <https://chichester.oc2.uk/a/s3d>  
 Policy-T1 - <https://chichester.oc2.uk/a/s3w>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mr Brian Ayton [7960]

**Summary:**

Regarding the sports pavilion I do not agree this is a sound policy as I feel the sports pavilion should be positioned further from the church which has war graves as it would be noise and light pollution and should be built with access to the main road with plenty of car parking space which would not be appropriate according to this policy.

**Full text:**

Paragraph 10.61 is not sound as it is inconsistent with the sustainability appraisal as it does not protect the natural environment. I am very concerned to the extent and proximity of the proposed housing development to Saxon Meadow.

**Change suggested by respondent:**

Move the sports pavilion to the west nearer the lake which would give access to water sports.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Para-10.61 - <https://chichester.oc2.uk/a/s5v>

Para-10.59 - <https://chichester.oc2.uk/a/s5b>

A14 redacted paper submission - <https://chichester.oc2.uk/a/sky>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mrs A Cobby [5712]

**Summary:**

Not sound as current predictions relating to the housing market have not been taken into consideration. Current BOE base rate of 4% expected to rise further on 23 March. Further increases in 2023 will further depress the housing situation.

The development proposed is 46 times larger than the 28 dwellings of Saxon Meadow. This would seriously impact the area i.e. detrimental effect on surface water, drainage, traffic already congested roads and completely blight this conservation area. I therefore consider proposal not legally compliant.

**Full text:**

See representations

**Change suggested by respondent:**

- Proposed housing to be of lower density;
- Houses to be built greater distance away from boundary fence;
- Heritage site and Conservation Area - consideration to be given to views.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Para-4.92 - <https://chichester.oc2.uk/a/s5f>

Para-8.12 - <https://chichester.oc2.uk/a/s5g>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mr Terence Pickering [7962]

**Summary:**

There is inadequate infrastructure to accommodate 1300 new homes i.e. water, gas, electricity, sewage etc. Also high risk of flooding which already occurs in Church lane, Tangmere.

**Full text:**

See representations

**Change suggested by respondent:**

If the housing development were to take place, it would need extensive infrastructure to accommodate the large volume of new properties in this Conservation Area.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Para-10.60 - <https://chichester.oc2.uk/a/s5h>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mrs Patricia Tedman [7972]

**Summary:**

As an owner and resident of Saxon Meadow I am deeply concerned with the proposed plan to build 1300 dwellings. It will have an unacceptable impact on my health and well being, also the property value in the future. Not legally compliant because it fails to apply the statement of community involvement principles through the omission of a clear and transparent reason why CDC ignored 2016 Neighbourhood Plan by proposing 30% more homes and is not justified given events since 2019.

**Full text:**

As an owner and resident of Saxon Meadow I am deeply concerned with the proposed plan to build 1300 dwellings. It will have an unacceptable impact on my health and well being, also the property value in the future. Not legally compliant because it fails to apply the statement of community involvement principles through the omission of a clear and transparent reason why CDC ignored 2016 Neighbourhood Plan by proposing 30% more home and is not justified given events since 2019.

**Change suggested by respondent:**

The following modifications are necessary to make the Local Plan legally compliant and sound:

- Reduce dwelling numbers
- Shift the proposed housing towards Tangmere Road
- Increase the green space border between the dwellings and Saxon Meadow, as we are in a conservation area.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Para-10.61 - <https://chichester.oc2.uk/a/s65>

## Support

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 11).

**Full text:**

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 11).

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT feels that this policy is inconsistent with other policies in the draft Local Plan and the NPPF. The policy fails to acknowledge the requirement to leave biodiversity in a better state via the delivery of BNG. As such, we recommend an amendment to this policy to acknowledge the addition of BNG to ensure the policy is consistent with national policy, 179b NPPF 2021.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Amend policy with an additional bullet point:

Ensure that development avoids harm to protected species and existing important habitat features; facilitates the achievement of a minimum of 10% biodiversity net gain; and facilitates the creation of high levels of habitat connectivity within the site and to the wider green infrastructure network and identified strategic wildlife corridors. This includes the provision of appropriate buffers as necessary in relation to important habitats which are being retained and/or created.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

- [National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Noting the need for master-planning and collaboration]. Reinforce that a master planning process presents an opportunity for the Council, and early consultation/working with key stakeholders, to
- consider traffic associated with the developments using, accessing, and exiting the A27
  - consider viable alternatives to the private car and the possible travel routes
  - understand future infrastructure requirements
  - develop a package of mitigation measures with detailed costing
  - utilise Travel Plan monitoring strategies triggered through phased development
  - collect appropriate mitigation funding

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology

- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style.
  - o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

"Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we

will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

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**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mayday! Action Group (John Garrett) [7163]

#### Summary:

Yet again more Grade 1&2 farmland turned over to development, when food self-sufficiency for the UK is becoming more important as each year goes by.

#### Full text:

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.
14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

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**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Stagecoach South (Rob Vince) [8141]

**Summary:**

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District and in Arun District.

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

**Full text:**

Chichester District Local Plan 2039 – Pre-Submission (Regulation 19) Consultation

**1. Introductory Comments**

Stagecoach South is the main commercial public transport operator across Chichester District. The Company has headquarters in the city, which is also the principal public transport hub for the District and it's rather wider travel-to-work area encompassing much of the Arun District. Our services extend throughout and beyond the District boundaries, as far as Littlehampton, Midhurst, Havant and Portsmouth. The vast majority of services operate on a commercial basis – that is to say, sustained by passenger use and fare revenue, including concessionary reimbursement.

While the role of the railway is significant in much of the District, especially the east-west Coastway line, yet bus services account for more boardings locally than the railway, with Chichester depot services carrying over 3.5m passengers each year.

Unlike bus services in other parts of the country, the local network has recovered strongly after the pandemic with fare-paying passenger numbers over 95% of 2019 levels, albeit with concession patronage somewhat lower. This has helped secure not only a stable but growing bus network even during this period of rapidly rising operational costs, avoiding the need for the service contractions seen in other regions. Indeed, during the second quarter of 2023 Stagecoach will invest £5.5m in brand-new vehicles for high-profile coastal Service 700 – one of the largest vehicle investments for Stagecoach Group this year.

Our services are therefore critical to existing and future local connectivity. As the Plan acknowledges, mobility demands do not respect planning authority boundaries. The role of our services is especially high to settlements in the broad A27 corridor, within the District and beyond. This includes major settlements in Arun District such as Pagham and suburban Bognor Regis, where bus is the only mass public transport option. As the Council is well aware, there is an even higher level and rate of committed development envisaged in these locations in the Arun District Local Plan than in Chichester.

It is already evident to the planning authorities, West Sussex County Council and National Highways, as proprietor of the A27 Trunk Road, that accommodating growing mobility demands across Chichester District and especially around Chichester itself, is becoming increasingly challenging to the point of being seriously problematic.

Stagecoach has a particular interest in this Plan arising from:

- The already clear and highly deleterious impact of congestion affecting our operations and their reliability and attractiveness to the public. The effects of these on the approaches to Chichester, and around the A27 bypass are especially severe. If public transport is to retain its existing role – even before the needs of any meaningful growth both in Chichester and neighbouring authorities is considered, are considered – the Council and the Highways Authority need to arrive at clearly-defined measures to protect buses from chronic delay and the damaging impacts arising from the lack of bus network resilience and customer journey times.
- In connection with the above, the need to properly consider the predictable impacts of committed development in Arun District on the transport network and in particular the operation of bus services. The duty to cooperate on cross-border strategic matters is not limited merely to accommodating housing requirements.
- The fact that our entire business premises and operational base at Chichester is the subject of allocation for redevelopment within the Plan period. Specifically, this includes our Head Office, the Bus Station as the operational hub of the network and the key interchange for passenger journeys – including those that involve the railway – and the bus depot required to support the entire operation. Notwithstanding many years of discussions, there is as yet no agreed deliverable strategy to replace these facilities either in the Draft Plan or elsewhere.

Stagecoach broadly supports the vision and priorities of the draft plan. In most respects, Stagecoach supports strongly the spatial strategy and the identified site allocations that flow from it, and the evidence.

However, it has serious concerns about the soundness of the plan as proposed for submission, for important regards outlined in this response. These are made in the light of requirements set by the National Planning Policy Framework (NPPF), in particular at paragraphs 15 and 16; 35, 105-109 inclusive and having due regard to the need for allocations to satisfy 110-112 inclusive in due course as development permission is sought; and paragraph 174.

Paragraph 16c) of NPPF makes plain that strategic plans and policies should “be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees” (our emphasis). This makes plain that collaborative and ongoing involvement of public transport operators is both necessary, and separate and in addition to the engagement with statutory consultees. This has not taken place.

Para 1.25 of the draft plan states that “the council has engaged constructively, actively and on an ongoing basis with other local authorities and

organisations to address key strategic matters.” Despite the requirements in NPPF and contrary to the statement made, Stagecoach has not been approached or involved in a meaningful, collaborative or ongoing way in the preparation of the Plan.

Our main concerns centre around the fact that the plan strategy is neither backed by sufficient transport evidence. Even more importantly, the plan relies on a wholly car-based transport mitigation strategy despite policy stating that this is not the case, and the track record of the existing Local Plan, based on a very similar strategy, that has failed to bring forward meaningful mitigations to date to prevent traffic conditions substantially worsening. There is no support in policy for the achievement of the Strategic Objectives in the Plan. Nor is there definition of any measures in the 2023 Transport Study to make provision for sustainable transport infrastructure or services – much less materially improve them.

Finally, to the extent that updated transport evidence has been provided in the form of the 2023 Chichester Transport Study, arising from updated traffic modelling, it does not support the contention that highways capacity constraints on and around the A27 justify not meeting the objectively-assessed development needs of the area, as the draft plan contends.

## 2. Vision and Strategic Objectives

### 2.1. Issues and Opportunities

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant, proportionate and up to date evidence

Stagecoach recognises the important role of the West Sussex and Greater Brighton Strategic Planning Board which agreed a Local Strategic Statement (LSS2) in early 2016 to identify spatial planning issues across the wider area. This established strategic priorities and policies to guide longer term strategic growth in a coordinated and well considered matter. This institutional framework and the purpose of the LSS is a highly significant one and is at the heart of efforts to properly fulfil the statutory Duty to Co-operate, including with regard to strategic infrastructure issues, as NPPF requires.

Given the long period of time elapsed since the 2018 Reg 18 consultation and the already very clear constraints on strategic infrastructure capacity, it is of great concern to Stagecoach that the LSS2 has not been updated to reflect emerging issues in the intervening period. A review and update of the LSS2 has only just commenced. This includes a study of projected housing and employment needs, transport impact, infrastructure and spatial options to deliver the required development in the period after 2030. This Chichester District draft plan covers a period extending to 2039 – therefore well beyond 2030 and the nominal currency of LSS2.

However, infrastructure needs are pressing today. Stagecoach is presented with severe highway operational problems on a near-daily basis. During the winter of 2022-23 we have, for example, seen key road links impacted for many weeks by acute disruption arising from flood events. Unpredictable, but seemingly more-frequent, exogenous events expose a lack of resilience in the highway network around Chichester and its travel-to-work area. However, serious, chronic, unpredictable delay has been normalised over recent years, with peak-time congestion having quickly returned after the pandemic. The existing development strategy has failed to bring forward measures having any impact on this to date, and key commitments – notably at west of Chichester Phase 2 and at Tangmere – have yet to commence to further aggravate the issue.

We have no confidence in the transport mitigations proposed in the existing Local Plan and LSS2 being sufficiently effective, even if deliverable at all. Indeed, the existing adopted Local Plan does little more than make vague speculations about the sustainable transport measures that might be achievable. The draft local plan review is no different. It has no ambitions at all for sustainable modes and thus, makes no meaningful provision to meet them.

This is especially relevant in light of the fact that the approach to resolving issues on the A27 around Chichester that were anticipated in 2015-16 have fallen away. LSS2 is thus currently inadequate to act as a part of an up-to-date, proportionate, and relevant evidence base for the Plan.

An update of a traffic model lies at the heart of a 2023 Chichester Transport Study. This talks no account of the existing role of non-car modes, nor can it do so. It is unable to properly evaluate the nature of problems or solutions that involve public transport, or for that matter, other sustainable modes.

Therefore, we consider that the combination of committed and additional development needs that must be accommodated over the whole plan period between 2022 and 2039, in both the Chichester and Arun Districts, require a “first principles” review. This must be based on a refreshed transport evidence baseline of no earlier than 2022 – given that the effects of COVID distort 2020-22 – and the transport infrastructure and service requirements to sustainably support those needs.

Key issues – including substantial changes with regards to transport issues and challenges, as well as potential solutions – thus do not form part of the evidence base that steers this plan. Given long term changes in travel patterns, and mode share that took place during COVID, as well as a local and national policy context that seeks to radically reduce and then eliminate transport-related carbon emissions, this is especially problematic.

The specific problems of congestion and network resilience that are evident on the A27 and the approaches to Chichester remain a set of especially difficult problems that disproportionately affect the efficiency, reliability and attractiveness of the bus network, that evidently demand larger-scale strategic responses involving multiple stakeholders, including bus operators.

Where the effects of development on the national Strategic Roads Network (SRN) are concerned, the approach of National Highways to addressing and responding to the mobility needs of development has now substantially changed following the promulgation of the DfT Written Ministerial Statement LTN01/22. This makes it clear that adding highways capacity is no longer the first or only strategy that should be pursued, but one subordinate this to maximising the potential of non-car modes and sustainable travel.

“Effective and ongoing collaboration” on transport matters has not led to solutions being agreed and published for public scrutiny as part of the plan evidence base. Whatever the approach to modelling and “highways improvements” that may be agreed or pending agreement with the County Highways Authority and National Highways, Stagecoach is neither participant or sighted. This is despite the clear requirements set out in NPPF Para 106 b) that “Planning policies should ... be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned.” (our emphasis).

We therefore consider that the Council has failed to comply with the requirements of NPPF paragraph 25 and 26 that “relevant bodies” are involved in plan-making, especially with regard to addressing the needs for infrastructure. Public transport services and the infrastructure that supports its operation and use clearly fall within matters relevant to plan-making. This is explicit in NPPF Chapter 9 and indeed within the plan itself – for example reference to public transport and sustainable modes in the Vision for the plan.

It should be stressed that the Regulation 18 “Preferred Approach” consultation took place in December 2018 – over 4 years ago and prior to COVID, based on LSS2. The inordinate length of time that has elapsed between the Regulation 18 and Regulation 19 stages greatly challenges the LSS2 and other parts of the evidence base, especially as the pause straddles the COVID epidemic. That would include the transport modelling baseline, and key assumptions in any traffic modelling that took place prior to mid-2022, which is a point at which a reasonable “new normal” post-COVID might be



considered to have become established. In that period, Arun District has also adopted its own Local Plan development strategy that accommodates an unprecedented quantum of development immediately east and south-east of the District Boundary – creating additional substantial transport impacts directly affecting the A27 and multiple major approaches to Chichester crossing it.

The established mechanism to fulfil the Duty to Co-operate has thus not operated effectively. The Plan is not founded on a relevant, proportionate and up-to date evidence base and is thus inadequately justified.

## 2.2. Spatial Portrait

The spatial portrait is generally succinct and accurate. However, it makes no mention of road-based public transport, the role of the City as a public transport hub, or the range of bus services that provide local connectivity (Section 2.4 and 2.5). The complete concentration of post-16 education in the City itself as just one example of the peculiarities of transport demands in the area, is not highlighted, though this has a profound influence on peak time travel demands affecting the most congested parts of the highway network. Among other things, the role of bus services in supporting the educational system of the plan area is very great indeed.

The potential role of bus in addressing the already-severe transport problems of the plan area and beyond seems entirely overlooked. The spatial portrait is thus clearly inadequate and incomplete.

## 2.3. Strategic Objectives

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chapter 9 of NPPF and paragraphs 104 and 105 in particular require that plans should:

“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a) the potential impacts of development on transport networks can be addressed;
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;...

...The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health...”

The Strategic Objectives do not conform with NPPF in these foundational requirements adequately, to transparently steer the plan strategy. They should therefore be amended to read:

“Plan to provide local infrastructure to support new development and seek opportunities to address existing identifiable infrastructure problems deficits, such as in particular those relating to the A27 and its junctions and wastewater treatment.”

Paragraph 2.36 states, in the context of the Climate Emergency and the National Trajectory to “Net Zero” that “The council will enable the delivery of infrastructure, jobs, accessible local services and housing for future generations while protecting, conserving and enhancing the historic and natural environment.”

Naturally, we support this intent.

However, there is no acknowledgement of the role current patterns of transport use contribute to carbon emissions, nor that substantial mode shift is necessary to address sustainably an acute lack of capacity on the local network and the SRN, especially around Chichester. This is especially concerning as the basic conceptual link is not made between the fact that the greatest such problems lie on the A27 corridor and around Chichester, while these are also at the same time present many of the most sustainable locations for development, and where the opportunities to secure much greater use of sustainable modes also exists.

Strategic Objective 7 “Strategic Infrastructure” includes the following statement:

“To work with infrastructure providers to ensure the timely delivery of key infrastructure to support delivery of new development. New development will be supported by sufficient provision of infrastructure to enable the sustainable delivery of the development strategy for the plan area. Key infrastructure to support the Local Plan will include improvements to transport, ...

A sustainable and integrated transport system will be achieved through improvements to walking and cycling networks and links to accessible public transport. Highway improvements will be delivered to mitigate congestion, including measures to mitigate potential impacts on the A27 through a monitor and manage process.”

The latest transport evidence in the Chichester Transport Study makes no pretence to define much less to deliver a “sustainable or integrated” transport system. It is wholly devoted to sustaining current levels of car use across the District, to and through Chichester area.

It is no more than the lightest of touches to the approach taken to supporting the adopted Local Plan, an approach that is already almost 10 years beyond the date of its gestation but has yet to deliver any significant capacity improvement schemes, much less any measures that sustain even current levels of public transport journey times and reliability in the face of increasing congestion – much less any betterment.

Of the six key junctions on the A27 around Chichester, recognised to require significant mitigation given they are saturated for extended periods, five accommodate regular bus services - indeed frequent ones at least every 20 minutes in several cases. The sixth at Oving Road, relates directly to a key corridor where bus services are needed to support strategic growth currently being delivered at Shopwhyke, as well as substantial further growth West of Tangmere (proposed allocation A14) and “East of Chichester” (A8), south of Shopwhyke Road.

As stated at p12 of the Study Summary “The modelling shows that all the junctions on the A27 Chichester bypass are well over capacity, even before adding in the Local Plan development and with the exception of Portfield Roundabout are actually shown to be over capacity in the base model year (2014) in one or both peaks”. This much has indeed been evident for years from delay and periodic even more severe disruption arising to Stagecoach services from the lack of network resilience.

The reassignment of through and local traffic through Chichester to avoid the A27 bypass is an especially serious issue for bus services that penetrate the city. This is leading to consequential saturation of a range of junctions used by buses. Rising delay and unpredictable running times are at the root of our decision to sever the long-established Portsmouth to Littlehampton service in 2023, which will in future no longer run across Chichester, but terminate to provide additional dwell time to mitigate the impacts of congestion.

While this congestion affects all road users including businesses and freight traffic, the effect on scheduled bus services is greatly higher, as such services cannot reassign route to 'beat the queue'. Traffic congestion often encourages greater car use for this reason, in tandem that people are happier to sit for extended periods in their own vehicle on a seamless door-to-door journey than wait at the roadside for a delayed bus making slower progress in lengthy queues.

As the Study admits at para. 1.3.2 "Although, there have been works at the Portfield Roundabout in this timeline, no other mitigation schemes have been completed along the A27 corridor, as such the mitigation schemes defined in this report will also be required to consider the development from this plan period."

In other words, in the 8 years since the current Local Plan was adopted in 2015, there has been minimal progress in delivering the traffic mitigations. There is no clarity at all when any such mitigations will be brought forward. It is hardly surprising then, that traffic conditions have deteriorated. The "predict and provide" transport strategy supporting the current plan has failed.

Despite this, the Draft Local Plan Review proposed to "double down" on exactly this strategy. It represents, like the rest of the evidence base, a "rolling forward" of the current car-based strategy by 9 years, with the lightest of touches to attempt to accommodate car trip demands from a relatively modest additional development quantum.

Nevertheless, the Study requires a global 5% reduction in trip demands arising from unspecified "credible" (paragraph 4.1.2) sustainable transport and travel planning measures. It is unclear why use of non-car modes will see disproportionate growth when no measures are in place to make them more attractive. This 5% increase in use translates to a doubling in the modal share of bus services. There is no evidence nationally, anywhere, that simple ignorance of alternatives to the car is the main barrier to uptake.

The outputs of the 2023 Chichester Area Traffic (SATURN) model are set out at Table 5.1 (am peak) and 5.2 (pm peak) without mitigation. These betray just how seriously compromised the whole network around Chichester is, and will be in future, even with implementation of a mitigation package to increase traffic capacity that is understood to cost between £92m and £164m – and which the Study and the draft plan acknowledge cannot be delivered through developer funding sources alone. Unspecified external funding presumably from HM Treasury through DfT is required.

Even if this provided and the schemes are delivered, Tables 8.1 and 8.2 indicate these will provide minimal relief. The final columns suggest key junctions, including Portfield, Fishbourne Road and Cathedral Way East will remain at well over 100% ratio of flow to capacity (90% is considered the point at which saturation is approached, with the onset of increasing delay above that figure). RFCs in tables 8.1 and 8.2 are some of the highest we have ever seen in a local transport evidence base for a post-mitigation scenario. While the serious potential risk of reassignment across Chichester City is greatly reduced, which is important and welcome given its impact on bus services, Tables 8.1 and 8.2 show the extent of post-mitigation saturation is also egregious, covering a very large number of key links and junctions.

On every measure and criterion, then, including cost deliverability and effectiveness, the revised Transport Strategy falls well short of evidence to suggest the transport impacts of the plan can be properly addressed by this means.

Despite the repeated statements about sustainable modes throughout the draft plan and Chichester Transport Study, only 2 paragraphs at Section 6.2 within the Study are devoted to public transport:

"6.2.7 The funds generated from the parking management schemes, local/nation funding schemes and developer contributions could also be utilised to fund potential public transport enhancements within the city centre including an expansion of the bus priority lane system within Chichester City Centre. This could reduce reliance on the car in the longer term towards sustainable public transport. A park and ride scheme could be incorporated within a bus priority lane network in the future depending on the uptake and successfulness of early bus priority trials.

6.2.8 Chichester City centre has a constrained existing public highway network. Therefore, any proposed dedicated public transport or light transit corridors that could be implemented would be at the expense of existing highway. This could be managed through a time-based system where certain routes are restricted to public transport only during specific times. E.g., peak hours."

There is some very high-level consideration of Park and Ride following this section. None can be considered a serious practical evaluation of consolidating car-borne trips onto bus services, including existing ones, for example local mobility hubs, more frequent bus corridors, delivery of specific bus priorities.

None of the discussion of alternatives to "predicting and providing" for unconstrained traffic growth is rooted in a deliverable evidence base, or proper evaluation of options and specific projects.

To take just one aspect of the few specifics that can be picked out, a workplace parking levy is hypothesised. This would apply only to "offices", in Chichester city centre (para 6.2.3), without consideration given as to how this could be practically achieved or even that a meaningful amount of office based employment would qualify. Much less is any consideration given to how far focusing a strategy only on office-based workers would actually deliver a particularly significant effect, apart from to create a strong incentive to relocate offices out of the city centre to places out of reach by public transport.

Looking at the Chichester Transport Study 2023 and the draft plan together, there is insufficient evidence that the traffic capacity increase proposed in the 2023 Transport Study is any more affordable or technically deliverable, or likely to be sufficiently effective, than those in the past strategy. The evidence more strongly points to the fact that no highways improvements are identifiable or economically deliverable to meet even short term increases in demand for car-borne mobility on most of the network around Chichester.

There are no published strategies or schemes clearly supporting the contention that the objective of improving sustainable modes is technically achievable or deliverable either. The plan makes generalised assertions that such strategies will be devised and implemented only after serious problems emerge from a shortfall in the car-borne transport strategy.

The reference to "monitor and manage" is undefined and unsubstantiated. There are no outcomes stated, no mechanisms specified and no timescales for action.

Our experience today is that network conditions have reached unacceptable and prejudicial levels of severe unpredictable delay. The saturation of the network is already evident well outside the traditional peaks on key sections of highway and at key junctions. External shocks such as the effects of severe weather are becoming more common, leading to delays so extreme as to justify the description of "gridlock". The plan does not identify a strategy to effectively address this, in particular by consolidating passenger car trips onto more efficient public transport vehicles. This is unacceptable to Stagecoach.

#### 2.4. Local Plan Vision

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the broad approach in Plan Vision and in particular that by 2039, the Plan will support and enable greater use of sustainable modes. However, there is no link made between reducing the use of private cars, and the need for a step change in the use of sustainable modes. Without a published transport evidence base it is impossible to establish a suitable sustainable transport strategy to support both carbon reduction and alleviation of the problems arising from acute congestion. Even on a very crude basis, to achieve a meaningful mode shift on key approaches to the A27 Chichester Bypass will require more than 20% of existing peak car-borne journeys to transfer to other modes. A 10 percentage point transfer to bus (about half this shift) would imply more than doubling peak hour bus passenger boardings.

The Vision is nothing more than an aspiration, that needs to more definitively aim at key outcomes, for the plan to be effective. The Vision should thus be altered to read:

"Get about easily, safely and conveniently with less reliance on private cars –making the greatest possible use of the rail and enhanced bus network, and with more opportunities for active travel including walking and cycling; to materially reduce dependence on private car use."

Underpinning the Plan's spatial strategy, the Vision section goes into more specific detail about key localities in the Plan area.

Regarding Chichester, Paragraph 2.39 states: "The emphasis will be upon consolidating and enhancing the role of Chichester city as the plan area's main centre, whilst also developing the role of key settlements to its east and west. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population."

This is clearly the appropriate focus for meeting the District's development needs in a sustainable manner. The city and key settlements to the east and west, are those places already able to make use of relevant public transport services, both rail and bus. Especially within and near the City, walking and cycling can credibly present highly relevant choices. This emphasis clear can be expected to address the requirements of sustainable development set out in NPPF and their local application set out in the Plans Strategic Objectives.

However, this needs a robust transport strategy, to avoid a further concentration of development and its traffic impacts occurring on or near some of the most chronically congested parts of the highway network. To date, the absence of intervention has strangled the bus network through further marked deterioration in traffic conditions. This by consequence increases the risk of bus delay or cancellation, lengthens journey time and reduces customer confidence in bus as an attractive alternative mode of travel.

In April 2023, Stagecoach is making significant timetables changes to improve operational resilience in and around Chichester. The biggest such change is the severance of the Portsmouth to Littlehampton section of service 700, at Chichester, with buses operating independently to the east and to the west and ending cross-city links. This is planned to reduce the probability of delay but at the cost of additional vehicle resource (circa £200,000 per annum) which could be better spent providing new or enhanced services. We anticipate a small loss of custom as a direct consequence of the change, but have little choice other than to take negative action so as to fulfil our statutory punctuality obligations.

If the Strategic Objectives of the Plan and its Vision are to be achieved, in the way required by NPPF paragraphs 104-105, a properly-evidenced transport mitigation strategy needs to create the conditions where bus journeys are more reliable than car journeys and thus mobility demand switches as far as can be realistically achieved away from car use, to bus use and other more sustainable modes.

Beyond Chichester, the Plan Vision focuses on key localities beyond to the east and west.

To the west of Chichester a focus on growth at Southbourne is justified at paragraph 2.43: "...the aim is to take advantage of the village's good transport links and existing facilities to deliver significant new residential-led development within the broad location for development which will further enhance local facilities and offer opportunities to reinforce and supplement existing public transport, including bus routes."

We agree this is a very significant opportunity. However, if the requirements of NPPF paragraphs 104-105 are to be met, this demands that effective bus priority is delivered on the A259 corridor, especially eastbound at Fishbourne and westbound approaching Emsworth. Without such measures, the growth committed and planned will serve only to further undermine bus journey time and decrease punctuality on the existing 700 service, entirely contrary to the aims of the Vision.

The emphasis on the A259 corridor served by Stagecoach 700 west of Chichester is reinforced at paragraph 2.45 stating that "Between Chichester and Southbourne, the Plan provides for more moderate levels of growth within the parishes of Fishbourne, Bosham and Chidham & Hambrook, ... with opportunities to support and expand existing facilities and for increased use of public transport options". We strongly support the principle, but the Plan must follow through with specific public transport priority measures that facilitate rather than prejudice such an outcome.

East of Chichester the focus is at Tangmere, where the existing allocation for about 1000 dwellings is being uplifted by 300. Paragraph 2.44 justifies this among other things recognising the scope for "...improved and additional bus services and cycleways will provide better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District." We unequivocally endorse this conclusion. Realising a "game-changing" level of bus service quality, reliability and frequency east of the city, also serving committed and planned development north and south of Oving Road at Shopwhyke, is equally essential, given that all SRN links and junctions are approaching equal saturation.

The National Bus Strategy has given new focus on partnership with West Sussex County Council to discuss and deliver a significant new bus service between Chichester, Shopwhyke, Tangmere, Eastergate and Barnham, supporting committed development and acting as an initial phase of what ought to be a more ambitious longer-term strategy to support growth beyond 2025 in both Chichester and Arun Districts. For these improved bus services to be both deliverable and effective, robust bus prioritisation is unavoidable. No such measures are proposed in the Plan or its evidence base and we therefore suggest inclusion of plans to facilitate safe and efficient bus operation between Tangmere and Nyton/Eastergate, ideally avoiding the need to join A27 through-traffic entirely.

We welcome the clear recognition that these localities identified for growth, benefit from existing relevant public transport services. The Vision also sets an expectation that bus services in particular should be "enhanced" and "reinforced".

We entirely agree that these opportunities exist, across the broad strategy and strategic allocation proposed by the draft Local Plan. Securing them will be crucial to achieving national and local policy objectives, including the Strategic Objectives. However, to our continuing very great dismay, the Plan goes no further to defining how this will be achieved. As such the Vision is not demonstrable achievable or deliverable.

Accordingly the Plan cannot be considered effective, in the sense of NPPF.

Remedying this, demands specific measures to protect bus services from congestion in the following corridors:

- A259 East of Emsworth
- A259 Fishbourne
- A 259 Via Ravenna/Cathedral Way
- A286 Stockbridge Road north and south of A27
- B2145 Whyke Road/Hunston Road
- A259 Bognor Road, east and west of A27 and extending to the District Boundary
- B2144 Oving Road/Shopwhyke Road east and west of the A27
- A 285 Westhampnett Road/Portfield Way/Stane Street, potentially involving a mode filter at the west end of Stane Street

These must be defined to a sufficient level of detail to assess their effectiveness and deliverability, including costs.

This would then allow West Sussex County Council and Local Transport and Highways Authority, ourselves as the principal bus operator, and where appropriate other organisations that would be directly tasked with delivering the mitigation package, to agree service levels and standards necessary to deliver specified outcomes, including journey times, frequencies, capacity and hours of operation on the network, and also in respect of the strategic allocations and Strategic Locations for Growth.

The agreed mitigations strategy should be set out in an up-to-date Infrastructure Delivery Plan backed by clear funding commitments, including a funding strategy to justify necessary developer contributions.

Where necessary to support evidence of effectiveness and deliverability, clear statements of support, which might include Statements of Common Ground between the LPA, LTA, National Highways and Stagecoach, could be provided.

### 3. Spatial Strategy

#### Stagecoach Supports

Stagecoach well recognises the constraints outlined in the explanatory narrative at the start of Chapter 3.

In particular we strongly endorse that strategy in that it reflects that the best opportunities to meet housing and employment development requirements sustainably clearly exist in and close to Chichester and on the key east-west movement corridor where – subject to effective measures being delivered to make these modes more attractive, efficient and relevant – sustainable modes can credibly provide for a much higher proportion of movement demands, mitigating most effectively the potential traffic impacts of development.

We agree that the Manhood Peninsula suffers serious environmental constraints, but, added to these, public transport and other sustainable modes cannot provide such attractive alternatives, and significant further development risks merely reinforcing already high levels of car use, aggravated by the carbon impacts of the distances involved – something the plan does very little to evaluate, and makes no reference to.

We endorse the conclusion in paragraph 3.24 that significant development in the part of the District north of the National Park is inappropriate. The rationale is principally on landscape and visual character. This exposes a fundamentally biased approach to plan making that has consistently underplays transport accessibility and carbon issues. In fact, the lack of local services and the extended distances that need to be travelled to fully participate in society in this area, with no realistic prospect of public transport offering relevant choices, ought to rule such a strategy out of play on a far less aesthetic and interpretational basis.

#### 3.1. Policy S1 Spatial Development Strategy

##### Stagecoach Supports

The Spatial Strategy flows clearly and logically from the Spatial Portrait, and the opportunities and constraints identifiable across the Plan area. It represents a logical and justified continuation of the existing Local Plan strategy. In particular the spatial strategy maximises the potential for sustainable modes to contribute to meeting a much higher proportion of all the District's mobility and accessibility needs.

#### 3.2. Policy S2 Settlement Hierarchy

##### Stagecoach Supports

The settlement hierarchy clearly reflects the service endowment and potential self-containment of the settlements in the District. In particular, the second tier of settlement hubs includes secondary schools, which are major peak trip generating uses. Service villages, in the main, also benefit from bus services running at least hourly, which can be expected to provide for a degree of mobility for the higher number of trip purposes that cannot be satisfied by walking or cycling within the immediate locality. Thus, a level of development to meet local needs in this tier is relatively sustainable.

There is a quite broad range of settlements in this category. We have concerns that, north of the National Park, the Service Villages have no realistic public transport choice. These include Plaistow/Ifold, Kirdford, Loxwood, and Wisborough Green. Such as exists is typically a 1/bus per day off-peak shoppers service offering up to 90 minutes in Horsham or Guildford and as such any development here even to meet local needs requires each adult to own a car. This contrasts strongly with Service Villages to the south of the National Park, which are greatly more sustainable.

### 4. Climate Change and the Natural Environment

#### Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This section of the plan is extensive and wide ranging, as should be expected.

However, remarkably, there is no acknowledgement whatever of the role of transport in mitigating climate change or its effects, not of the importance of sustainable movement and access being facilitated across the plan area in addressing anthropogenic impacts on the natural world at a more local level.

This exposes very clearly a troubling level of indifference to transport matters in the production of the Plan, which, while nationally quite common, is neither appropriate nor acceptable. The mitigation of transport impacts is not merely a matter speaking to the social and economic aspects of sustainable development. It is crucial to address the causes and effects of climate change that arise from transport, and personal mobility.

This is now well understood and at the centre of national policy, including the National Decarbonisation Strategy for Transport (July 2021) which at Section 5 commits the government to aligning land use planning and transport strategy much more tightly and effectively to mitigate the carbon emissions associated with the current dependence on cars, and the mode mix; but also to reduce travel distances, both increasing the potential relevance and effectiveness of all sustainable modes, and reducing average journey lengths for residual motorised journeys of all kinds.

National statistics show that well over a third of all domestic carbon emissions arise from land-based transport and of these, the vast majority arise from trips of over 10km – outside the range of large scale use of cycling. In fact, the potential of the plan to materially support carbon emissions reduction from within the plan area lies more in the realm of transport than any other policy theme – including emissions mitigation from buildings, which is in any event an aspatial matter and covered by nationally-binding building regulations. By 2025 something like 40% of all the emissions within the plan-area will be transport related.

There is no evidence supplied to support the plan that addresses the transport carbon impacts of the spatial development strategy in a clear manner.

There is no evidence supplied that sets out the effects of potential worsening of congestion on air quality within the plan area, arising entirely from the excess of passenger car movement demands over available and credibly deliverable highway capacity. This is despite the evidence set out and acknowledged in the explanatory memorandum at paragraph 4.130:

“4.130. The council's Air Quality Action Plan and the West Sussex Transport Plan 2022-2036 both refer to the air quality issues faced by Chichester.

There is currently one Air Quality Management Area (AQMA) in the plan area, located at St Pancras, Chichester. AQMAs are designated where air quality exceeds, or is likely to exceed, national air quality standards and objectives. Development within or impacting these areas, or that likely to cause the

declaration of any further AQMAs, will be subject to an air quality assessment by the applicant.”

This is a retroactive approach – it is not “planning”, based on evidence.

We are well aware that air quality issues in and of themselves can render allocated sites to be undeliverable: a good example is in the Vale of White Horse, Oxfordshire, where strategic allocations on the A338 and A420 corridors have been held up for years by air quality issues at Marcham and Frilford, in large measure because agreed transport interventions were considered inadequate or undeliverable a very short time after the Plan was examined and adopted.

There is no evidence that shows how the development strategy can effectively mitigate these impacts as well as the further potential impacts that arise from the development strategy. This is exasperating, as there is clear evidence that could be drawn upon to show that that very substantial opportunities exist to:

- Speed buses up and make them more reliable by the delivery of bus priority on most of the key main corridors. Most of these even today operate relatively frequently
- Improve service frequencies and extend hours of operation.
- Secure significant background mode shift to bus as a result, damping pressure on key links and junctions, by consolidating demands on direct more reliable and more frequent bus services.

The spatial development strategy as submitted is in fact, likely to well conform to such additional evidence.

The allocations require substantial additional transport related work and evidence to demonstrate that the opportunities for sustainable transport have been identified and taken up as required by NPPF paragraphs 104-105.

With regards to specific policy, Policy NE22 should be modified to read:

“Development proposals will be permitted where it can be demonstrated that all the following criteria have been addressed:

1. Development is located and designed to minimise traffic generation and congestion through access to by maximising the relevance and attractiveness of sustainable transport modes, including maximising provision of specific demonstrably effective measures to make pedestrian and cycle and public transport routes and networks more direct, more safe, faster and more reliable;...”

## 5. Housing

### 5.1. Policy H1 Meeting Housing Needs

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The presumption of the planning system is that local planning authorities should seek to meet their objectively assessed development requirements in full. These needs are assessed by a defined Standard Methodology set out in Planning Practice Guidance and elsewhere, that has explicit regard to ensuring that the economic and social effects associated with housing are properly provided for, to avoid exacerbating serious problems that arise from inadequate housing supply.

As a significant local service provider and employer, Stagecoach is concerned that existing issues with housing availability and affordable housing supply are not exacerbated. This has a direct bearing on staff recruitment and retention. It also has an indirect bearing on our cost base.

The existing problems with housing affordability have developed over many decades of undersupply. It should be emphasised that the significant boost to the supply of housing that has been sought by governments over the last 15 years, has only begun to take effect relatively recently in this District. Tackling the problem will require years of consistent attention.

Stagecoach notes that the Council is no longer proposing to meet its identified housing needs in full. Rather than 638/annum the Council is allocating a total that implies an annual delivery rate of 535/annum.

While a number of matters evidently present challenges to the Council in identifying a sustainable development strategy. Paragraph 5.2 indicates that “constraints, particularly the capacity of the A27 has led to the council planning for a housing requirement below the need derived from the standard method...” The blame for being unable to meet housing requirements is thus laid squarely at the door of transport infrastructure and systems.

This conclusion in no way follows from the evidence in the Chichester Transport Study. This, rather, makes the statement that when a higher annualised quantum of 700 dwellings per annum was tested, in the majority of cases the traffic capacity improvement package would perform little differently. To quote the Study:

“5.6.3 The network performance outputs analysed comprising V/C%, Delays (seconds) and Queues (PCU’s) suggest that generally the proposed SRN mitigation identified for the Core Scenario, can accommodate in the most part, additional increase in development to 700dpa.”

Whether the rest of the local road network is similarly protects is moot.

Irrespective of these results, even if the contention made in the draft plan were true, unlike many other constraints, this is amenable to a suitable effective strategy to address the constraints identified being collaboratively conceived. This is what NPPF expects, as set out in paragraphs 104-106.

Where the A27 is concerned, as part of the SRN, National Highways is now working to a substantially revised approach than that in force at the time to current Local Plan was prepared, or LSS2, or reflected in the Chichester Transport Study. This is set out in DfT WMS 01/22. This document is the policy of the Secretary of State for Transport in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF). It replaces the policies in the Department for Transport Circular 02/2013 of the same title.

It makes plain that to accommodate additional demands arising from development, National Highways (NHC) expects to meet the requirements of its statutory license in a substantially different manner. With respect to development NHC LTN 01/22 continues to address the tensions between national policy for the environment and carbon mitigation, the ongoing need to substantially boost the supply of housing as well as maintain national economic competitiveness and protect the safety of the public. However, in future, the approach will be to seek first to maximise the impact of demand management measures (reducing the need to travel), and then to accommodate residual additional demands first though maximising the use of sustainable modes, rather than accommodating assumptions about current levels of car dependency and use.

LTN 01/22 much more closely and explicitly aligns with the language of NPPF Chapter 9 paragraphs 104-106. Paragraph 12 states: “New development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable.... Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas.” (our emphasis).

It continues at paragraph 13: "where developments are located, how they are designed and how well delivery and public transport services are integrated has a huge impact on people's mode of travel for short journeys. The company will therefore expect strategic policy-making authorities and community groups responsible for preparing local and neighbourhood plans to only promote development at locations that are or can be made sustainable [footnote 8] and where opportunities to maximise walking, wheeling, cycling, public transport and shared travel have been identified." (again, our emphasis)

Stagecoach readily confirms that the draft Plan development strategy conforms well to the first limb of this expectation, in terms of the location of development.

Stagecoach considers that the plan and its evidence base conforms poorly to the second in that the specific opportunities to maximise walking, cycling wheeling and public transport are not clearly identified, and defined, and proven to be effective and deliverable.

The current mitigation strategy for the A27 Chichester area, supporting the adopted Local Plan and for which proportionate developer contributions have and continue to be sought, reflects now-superseded DfT Circular 02/2013. As a direct result, it failed completely to identify any significant effective bus priority measures, despite the fact that frequent services already exist on the key corridor concerned, and that one bus journey can remove, fully seated between 72 and 80 single occupancy car journeys from congested links and across key junctions on the A27. Rather, it sought to implement targeted measures to increase the throughflow of general traffic.

We recognise the realisation that this approach, which was already reliant on some tenuous logic, is simply not technically viable, especially where further development needs are anticipated.

National Highways will now pursue an approach with the planning system that "includes moving away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (vision-led approaches including 'vision and validate,' 'decide and provide' or 'monitor and manage'). The company will support local authorities in achieving this aim through its engagement with their plan-making and decision-taking stages." (paragraph 15).

Paragraph 23 is at the fulcrum of assessing and defining transport mitigations to accommodate growth on and near the SRN "Capacity enhancements such as modifications to existing junctions or road widening to facilitate development should be determined on a case-by-case basis. The general principle should be accepted where proposals would include measures to improve community connectivity and public transport accessibility, and this will be weighed against any negative safety, traffic flow, environmental and deliverability considerations, impacts on the permeability and attractiveness of local walking, wheeling and cycling routes, and alternative options to manage down the traffic impact of planned development or improve the local road network as a first preference." (our emphasis).

However, no material work has been done that seeks to identify if a bold robustly conceived and suitable judiciously-prepared strategy that seeks to consolidate flows on already densely travelled corridor onto improved bus services, driving mode shift through insulating these services preferentially from already serious queuing. This would be likely to have very substantial impacts on all the key junctions on the A27, and potentially, on the A27 itself. The need for an integrated approach between Shoreham and Emsworth within West Sussex paying particular regard to development requirements in both Arun and Chichester Districts naturally lies at the heart of this, and we would expect to be picked up by the LSS3 Review among other things.

However, the locus of the problems and its causes and effects are obviously well enough known to start work on defining solutions within the plan area today. We would expect that this work will be essential if National Highways are to support the Plan, especially now given the terms of Circular 01/2022.

Such work could and should start from a "policy off" position: in other words that the Plan should fully accommodate its needs unless it can be proved that a mitigation strategy for the A27 that is compliant with DfT WMS 01/2022 cannot credibly accommodate resulting capacity demands without unacceptable impacts on the safety and efficient operation of the SRN.

This evidence does not exist. In fact the Chichester Transport Strategy 2023, on which the Council solely relies as its transport evidence base, indicates the opposite at para 5.6.3. This is the case before meaningful measures to secure damping of traffic demands through mode reassignment are even considered.

The exception to this is Portfield and Oving Road, which are among the most problematic areas after mitigation even at the Council's chosen 535 dwelling/annum scenario (para 5.6.4.-5). The costly capacity mitigation simply cannot deliver enough benefit. It is admitted that WSCC has indicated that it would prefer a solution that places greater reliance on sustainable modes damping car-borne demand. This is entirely the strategy required by NHC to follow LTN 01/22, of course. Despite the fact that "predict and provide has "run out of road" no attempt has been made to examine what such a solution set credibly could look like. This is unsatisfactory and deeply troubling.

At paragraph 5.4 the draft plan points back again at the West Sussex and Greater Brighton Strategic Planning Board and the future work that has been commissioned, but has barely begun, to update the Local Strategic Statement. This work is to inform the preparation of plans that have horizons beyond the end date of the current LSS in 2030 and properly to meet the Duty to Cooperate. As we said in our response to section 1 of the Plan we fully endorse the conclusion that this is the right mechanism to look at these issues. However, the mechanism has not been effectively applied to the production of this plan. Therefore, the specific evidence that capacity on the A27 in and of itself supports accommodating a lower housing requirement does not exist.

The Plan thus does not conform to NPPF, is not adequately justified and is not effective.

The Plan does not properly meet the statutory Duty to Cooperate.

We will return to this matter in specific representations to Section 7 of the draft plan.

## 5.2. Policy H2 Strategic Locations/Allocations 2021-2039

### Stagecoach Supports

Policy H1 makes plain that the plan, as far as it identifies locations for development has done so in locations that conform with its spatial strategy. All of the strategic allocations to a greater or lesser extent offer clear opportunities to make use of sustainable modes, by virtue of their location. That is not to say that the opportunities to take up these opportunities, and maximise the role of sustainable modes, has been identified, defined and translated properly into the rest of the plan policy suite or Infrastructure Delivery Plan.

As our remaining representations make clear, we support the locations thus far identified as being those that offer the best opportunities to reduce the need to travel, reduce travel distances, and create high quality attractive sustainable travel choices, for both existing residents as well as new ones.

However, the transport impacts of the allocation will individually and cumulatively likely to lead to increasingly severe impacts on the transport network, and on bus services.

Perversely, because these opportunities are not properly identified and secured through the plan and its supporting transport strategy, the opportunities

presented by the allocations to secure a substantially more sustainable and lower carbon pattern of movement will not only risk being squandered but may aggravate the wider problems.

### 5.3. Policy H3 Non-strategic Parish Housing Requirements

#### Stagecoach Supports

The approach is consistent with the plan's spatial strategy. It generally avoids a dispersal of development to locations likely to be highly car dependent. There is a clear focus on meeting housing needs in the far north-east of the District at the largest and most sustainable settlements, such as Loxwood, Kirdford and Wisborough Green. However, it must be pointed out that public transport availability in this area, provided by the County Council through services it procures, is minimal. These settlements in practice require each adult and child of secondary school age to have access to motorised transport to fully participate in society. This might justify significant measures to secure a boost in the frequency of bus services between Guildford and Billingshurst, passing through these settlements.

Otherwise, existing commitments in the plan area already make provision to meet for local needs. To the degree that there is an unmet local requirement for affordable housing of a small scale – for example to support the rural economy – this could be met through neighbourhood plans or through Rural Exception Sites.

## 6. Place-making, Health and Wellbeing

### 6.1. Policy P1 Design principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

NPPF requires that proposals should consider transport issues from the earliest possible stage. Designing to properly facilitate safe and efficient access, focusing first on sustainable modes, should be at the heart of development design. Too often it is still an afterthought, notwithstanding this. Policy P1 must include an additional statement to be compliant and effective with NPPF paragraph 104-105 and 112 a):

“Development will be designed to make access and movement using walking, cycling and public transport the natural first choice, and demonstrate through the Design and Access Statement how such modes are afforded the most direct, safe, reliable and efficient routes within to and from the proposals, especially when compared with car use.”

### 6.2. Policy P4 Layout and Access

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective

A number of proposals in the plan involve large-scale development. It is essential that where appropriate buses can access and circulate efficiently through development at a suitably early stage. There is no acknowledgement of this anywhere in the policy, contrary to NPPF paragraph 112.

Large-scale development which buses cannot access in an efficient or timely manner, or at all, strongly contributes to high levels of car-dependency. Evidence for this is referred to among other places, in DfT Circular 01/2022. To be compliant with NPPF and properly pursue its strategic Objectives, Policy P4 needs to be modified to address this point:

“1. Provide safe, direct and attractive conditions for inclusive access, egress and active travel between all locations and providing as good direct high quality links to integrated public transport, and where appropriate efficient access and circulation to bus services, unimpeded by excessive parking, at a suitably early point in the development phasing;

## 7. Transport and Accessibility

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

The issues related to transport are fundamental to the soundness of the Plan. In particular, the constraints presented by the capacity on the A27 around Chichester and its key junctions, are the paramount reasons why the Council does not consider it can meet its objectively-assessed development needs in full. Thus, the transport issues and potential solutions available and what these mean for the ability of development needs to be accommodated, are matters that go to the heart of the soundness of the Plan.

Paragraph 8.3 sets out the approach taken to date succinctly:

“Increasing the capacity of the road network is key to supporting growth in the Local Plan. However, there is also a need to reduce demand for road transport to achieve net zero in greenhouse gas emissions by 2050 as highlighted in the council's Climate Emergency Action Plan and Strategic Objective 1. In aiming to achieve the ambitions of the action plan, all development is expected to demonstrate how it will support four key objectives to create an integrated transport network which will alleviate pressure on the road network, improve highway safety, encourage sustainable travel behaviours and help reduce transport related impact on air quality, by:

1. Avoiding or reducing the need to travel by car;
2. Enabling access to sustainable means of travel, including public transport, walking and cycling;
3. Managing travel demand; and
4. Mitigating the impacts of travel by car.”

However, this approach is unambitious and “lightweight” as it assumes, as does the existing Chichester Transport Strategy on which the current adopted plan relies, that the focus of investment should be, wholly, in highways capacity improvement.

Sustainable modes explicitly are expected to play a greater role to “alleviate pressure” on the local road network, as part of this strategy. To emphasise: to avoid exacerbating congestion, the strategy will have to both remove a significant proportion of existing demands from the network on multiple key approaches to Chichester; and then ensure that travel demands from committed and further new development allocated in the plan does not simply replace these journeys, or, worse, create even greater demands.

This will demand very significant behaviour change. Only by making sustainable modes substantially more attractive, both absolutely, and relative to the same journey made by car, can this be expected to occur. However, the explanatory memorandum as well as the wider policy suite and IDP, well expresses a fundamental unwillingness to taking specific, defined measures to achieve this reduction in car use and material promotion of sustainable modes. It makes plain that sustainable modes, including bus services, will offer a lesser role to which “access will be provided”.

Such a vague and weakly defined mechanism will have no effect, at all, on current behaviour and car dependency if the relevance of those choices as a credible alternative to car use, is not substantially boosted. This includes a 5% reduction in trip demand assumed by the Traffic Model at the heart of the Chichester Transport Study 2023.

For this reason, the transport strategy behind the current adopted plan is demonstrably ineffective, as the updated model makes plain. It has not yet been delivered and is yet unclear when or (in the absence of committed funding) even if it can be. It is ineffective to “roll forward” this strategy to support a higher level of planned growth.

We note that a scheme for addressing congestion on the A27 at Chichester has been included in Roads Investment Period 3 (2025-2030) – well within the horizon of this Plan. However, recent history provides compelling evidence that off-line improvement to the north is not politically supported and arguably even technically or economically deliverable. It is not funded, nor at this stage can it be hypothesised if an economically deliverable scheme is achievable sufficient to warrant the necessary investment.

An on-line improvement of the A27, including junction improvements, is likely to favour longer distance east-west through movements, which are of greater significance to the national economy, at the expense of local movements crossing the SRN- a conundrum that largely sums up the dilemma that is faced by NHC and the County as Highways and Transport Authority. It is one that is played out in many places, but rarely is the tension so stark as at Chichester.

Every local route crossing the A27 at grade around Chichester accommodates a regular bus service - or shortly will do (Oving Road area is expected to follow in 2023, though bus services are likely to not use the modified crossroads but to use the left-in-left-out facilities provided as part of the Shopwhyke Lakes development). The impact of these issues on the entire bus operation are serious and increasingly severe.

By the same token, boosting the relevance and reliability of each of these services substantially consolidating as much demand as possible onto a much smaller number of vehicles, is clearly a strategy that ought to support the effective capacity of each of these junctions being greatly augmented, at the same time as reducing equally substantially, the energy- and carbon intensity of mobility in the plan area. Addressing the A27 should not be considered some kind of “zero-sum” game.

Furthermore, the approach of National Highways in its dealings with development and the planning system now reflect a substantial change in Government Policy set out in DfT Circular 01/2022, which we separately cover in these representations, that entirely aligns with an approach that seeks to appropriately invest in more active and rational management of scarce highways capacity, on both the SRN and local roads.

For environmental, economic and social reasons – including public health, the issues presented by the A27 and its interface with local roads around Chichester stands out, nationally, as an example of where the approach taken to accommodating and mitigating development impacts needs to make a clear break with previous “predict and provide” approaches to meet forecast unconstrained car use as LTN 02/2022 makes clear as a principle. Policy in the West Sussex LTP to 2036 itself makes plain that “shared mobility” – including bus services – must play a much greater role in this area.

The existing Chichester Area Transport Strategy is focused on justifying capital contributions from committed development to fund highways capacity improvement – with nothing included to make bus services more attractive, or importantly more reliable. Indeed this “cars first” approach is so costly, that there is already accepted by WSCC to be insufficient land value remaining to be captured to put into substantial improvements for public transport. That much is very evident, and transparent, from paragraph 8.12 and 8.14, where south of Chichester “This (one) package of works (of several improvements needed) would be between £57.23 and £82.79 million to deliver in full and would not be capable of being funded by development contributions alone.” This assumes the scheme is otherwise deliverable, which on the evidence in the public domain for some time, has been considered challengeable.

The draft Local Plan and a modestly updated infrastructure package that flows from the 2023 Chichester Transport Study, pursues exactly the same approach.

This strategy is also even more ineffective having regard to the roll forward of the Plan to 2039. It cannot deliver the key Strategic Objectives of the Plan; and in particular this is explicitly recognised by the Council in the failure of the draft Plan to accommodate the OAN in full.

It is also obsolete, as it does not align, from first principles, with national policy (including the National Decarbonisation Strategy for Transport) and DfT Circular 01/22; nor the Council’s own declared Climate Emergency.

As a result, draft Policies T1 and T2 are both unsound, as we will separately explain.

Owing to the lack of evidence about the implications of this for adjoining authorities – especially Adur District – in the absence of the review of the Local Strategic Statement – this has implications for fulfilling the Statutory Duty to Co-operate.

The absence of any meaningfully comprehensive refresh of the transport evidence base means that there are no meaningful schemes of any kind, defined in the plan or its IDP, to indicate either what level of growth can be accommodated, by delivering a change in travel behaviour. This would be aimed to secure a sufficient effective increase in junction throughput (measured in terms of person trips as opposed to passenger car unit movements (PCUs)). Such evidence would propose measure to achieve that outcome and assess the efficacy and costs of such improvements, across all modes.

Paragraphs 8.10-8.13 inclusive indicate that the Council “has moved away from ‘predict and provide’” and invites the reader to conclude this has translated into a programme of interventions that can be funded to deliver specific, credibly predictable outcomes. Such a programme should be clear in paragraph 8.11. and the IDP. There is no such clarity and this conclusion would be false.

It would also be evident in the language of the Chichester Transport Study 2023 and its refreshed proposals. Only the most token of lip service is paid to the matter. It is a plainly car-focused, predict and provide methodology to support a “predict and provide” strategy. In fact, it is a brazenly car-focused approach, to the exclusion of all else.

The statements in the Plan regarding any other approach, read properly, offer nothing more than a vague commitment to look post-adoption, and implementation, at unspecified measures, based on problems that may arise in future that will be decided by a committee: the Traffic and Infrastructure Management Group (TIMG). This does not yet exist and is obviously an attempt to posit a mechanism that retroactively will cover for the lack of serious multi-party engagement to address the existing and future issues. Such a group should, in our view, also include the public transport operators, not least if the requirements of NPPF Para 106c) are to be satisfied, and the strategy and measures to be adopted are material to supporting the Local Plan, as of course the purpose of the TIMG has as its core *raison d’être*.

The approach proposed by the draft plan is plainly ineffective and unsound in justifying the draft Plan.

It is more widely unacceptable to Stagecoach. The issues are severe today and well-known, already serving to jeopardise the delivery of buses relied on by existing residents, much less attract new ones.

We also consider that HM Planning Inspectorate are likely to be quite resistant to accepting this aspect of the plan’s transport strategy, nor will it be appropriate for the Council, West Sussex County Council, or National Highways, to define such measures after the submission of the Plan during the



Examination process. The Examination in Public of a local plan has no purpose to improve plans, or remedy deficiencies clearly evident prior to submission.

The examination of the West of England Joint Strategic Plan in 2019, and the Uttlesford Local Plan in 2021, among several others, demonstrates especially clearly that the Planning System and the Examination process is not amenable to post-hoc retrofitting of transport evidence and strategies to support a development strategy.

#### 7.1. Transport Evidence Base

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Most of Stagecoach's serious concerns about the soundness of the plan arise from the fact that it has been prepared in advance of any up-to-date transport evidence and suitably robust transport mitigation strategy being advanced to support it. In essence, the Council has rolled forward the existing plan by 9 years, adding some additional sources of housing supply, while still relying implicitly on a transport evidence base that was prepared 10 years ago.

This led to the formulation at that time of what can only be described as an attempt to develop an effective car-based mitigation strategy, creating capacity for general traffic added to accommodate unconstrained additional demands on an already over-taxed highways network – the Chichester Area Transport Strategy. Despite language in support of sustainable modes, no deliverable measures were identified to support either the extension of the bus network to serve allocated sites, and much less to create a vital improvement to the quality and reliability of public transport services. This approach reflected the approach set out in DfT Ministerial Circular 02/2013 "Development and the Strategic Highways Network", applicable since the A27, which is the focus of the most severe difficulties, forms part of the national Strategic Roads Network.

This approach has proven ineffective even before substantial elements of housing land supply in the current plan come forward – in particular West of Chichester and West of Tangmere.

In addition, Circular 02/2013 has now been replaced by a new Ministerial Statement of 23/12/2022, DfT Circular 01/2022.

On both counts the transport evidence base and strategy needs to be properly revisited and established to provide effective mitigation for the plan, including current commitments that are being rolled forward.

The language of the current Ministerial Circular 01/2022 offers a highly condensed synoptic view of the proper approach to addressing transport matters in the planning system notwithstanding that it is directly concerned with the Strategic Roads Network. *Videlicet*:

"31. The NPPF expects local plans and spatial development strategies to be underpinned by a clear and transparent evidence base which informs the authority's preferred approach to land use and strategic transport options, and the formulation of policies and allocations that will be subject to public consultation. The company will expect this process to explore all options to reduce a reliance on the SRN for local journeys including a reduction in the need to travel and integrating land use considerations with the need to maximise opportunities for walking, wheeling, cycling, public transport and shared travel.

32. The Transport Decarbonisation Plan indicates that carbon emissions from car and van use is the largest component of the United Kingdom's total transport emissions. While action is being taken to decarbonise transport such that all new cars and vans will be fully zero emission at the tailpipe from 2035, the proposed location of growth in current plan periods and whether new developments would be genuinely sustainable remain important factors in demonstrating that a local authority area is on a pathway to net zero by 2050 and therefore compliant with the requirements of the Climate Change Act 2008.

33. Alongside this, the local authority should identify the key issues within their study area regarding transport provision and accessibility, setting out how the plan or strategy can address these key issues in consultation with (National Highways, and other transport stakeholders identified in NPPF paragraph 106b). It is the responsibility of the local authority undertaking its strategic policy-making function to present a robust transport evidence base in support of its plan or strategy. The company can review measures that would help to avoid or significantly reduce the need for additional infrastructure on the SRN where development can be delivered through identified improvements to the local transport network, to include infrastructure that promotes walking, wheeling, cycling, public transport and shared travel. A robust evidence base will be required, including demand forecasting models, which inform analysis of alternatives by accounting for the effects of possible mitigation scenarios that shift demand into less carbon-intensive forms of travel." (our emphasis)

Within the text quoted above, references to National Highways and "the Company" can quite legitimately be extended, given the statements in NPPF paragraph 16, 25, 26 and 106b, to include all the relevant transport infrastructure and service providers in the plan area. Circular 01/2022 also has the weight of secondary legislation as a Written Ministerial Statement and thus should be considered to be highly material.

To date there has been little attempt to explore, to the degree necessary, strategies that conform to Circular 01/2022. It is thus not possible to conclude, as the Council has done, that the issues on the A27 that present a constraint to development, are insuperable.

In line with comments made elsewhere in the response to this pre-submission draft, the Plan thus requires substantial further work to be undertaken with key stakeholders to establish a suitably effective and demonstrably deliverable transport mitigation strategy, to sustainably meet the District's identifiable development needs and where apparent and appropriate, also ensure that wider cross boundary strategic issues are appropriately addressed, in conformity *inter alia*, with the Duty to Cooperate, NPPF paragraph 16 and 104-111 inclusive, and DfT Circular 01/2022 and to ensure the Plan's own Strategic Objectives can be met.

#### 7.2. Policy T1 Transport infrastructure

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

As described in comments elsewhere, Stagecoach does not see that a suitable proportionate and up-to-date basis exists to properly and appropriately address the transport issues in the plan area.

The 2023 Transport Study does not perform this role adequately but, contrary to the explanatory memorandum, is a scheme intended only to facilitate car-borne movements through some of the key junctions. There is no evidence that an holistic integrated and strategic approach to transport mitigations has been prepared. Certainly Stagecoach has not been involved in any of the discussion about appropriate transport measures in support of the plan, including the Transport Study 2023, contrary to the expectations set out in NPPF at paragraph 16 and 106.

Notwithstanding out fundamental concerns about the transport evidence case and mitigations strategy, Policy T1 reflects a weak and ineffective approach, that seeks to try and define a strategy post-adoption.

Contrary even to the explanatory memorandum for the policy, which seeks to maximise the contribution of sustainable modes, the policy is phased in such a way that it gives basis for previous "predict and provide" solutions to facilitate and support current levels of car dependency – already shown to be undeliverable and unaffordable – will nevertheless be the first rather than the last resort. There is no commitment to seek to maximise the contribution made by sustainable modes to meeting mobility needs. Nor is there any recognition that current chronic congestion and lack of network resilience jeopardises the ongoing attractiveness and long- term sustainability of the current public transport offer.

To be effective and create alignment with national policy, and also provide for an up-to-date transport evidence base and strategy to be added, Policy T1 should be modified to read:

"Integrated transport measures will be developed to mitigate the impact of planned development on the highways network, improve highway safety and air quality, promote more sustainable travel patterns and through providing in the first instance, new and improved infrastructure and services that will be credible effective in maximising the encourage increased use of sustainable modes of travel, such as public transport, cycling and walking.

To achieve this, the council will work with National Highways, West Sussex County Council, other transport and service providers (including through the Traffic and Infrastructure Management Group) and developers to provide a better integrated transport network and to improve accessibility to key services and facilities...

All parties, including applicants, are expected to support these objectives by:

1. Ensuring that new development is well located and designed to avoid or minimise the need for travel, encourages maximises the use of sustainable modes of travel as a credible alternative to the private car and directly provides or contributes towards new or improved transport infrastructure;
2. Working with relevant transport infrastructure and service providers to improve accessibility to key services and facilities with primary emphasis on sustainable modes, and to ensure that new facilities are easily accessible by sustainable modes of travel;
3. Targeting investment to provide local travel options as an that represent a clearly credible alternative to the car use, focusing on the delivery of improved integrated bus and train services, and improved pedestrian and cycling networks, including the public rights of way network, based on the routes and projects identified in the Local Transport Plan, West Sussex Bus Service Improvement Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan;
4. Planning to achieve the timely delivery of transport infrastructure on and approaching the A27 and elsewhere on the network, needed to support new housing, employment and other development identified in this plan;
5. Phasing the delivery of new development to align with and where possible facilitate the provision of new and improved transport infrastructure and services and the outcomes of monitoring travel demand on the network, including that arising from areas immediately adjoining the plan area. It may also be Where necessary to achieve this alignment proactively phase development will be phased to take into account the monitoring and effectiveness of travel plans demands on the network and to ensure that measures are implemented to support the highest possible level of encourage sustainable travel behaviour.;
6. Using demand management measures, such as travel plans, to manage robust methodologies to assess travel demand and minimise the need for new or improved transport infrastructure as part of the monitor and manage process.
7. Delivering a coordinated package of infrastructure improvements at and approaching to junctions on the A27 Chichester Bypass along with other small-scale junction improvements interventions within the city and elsewhere, as identified through the monitor and manage process. These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas, first by maximising the contribution of sustainable modes to meeting mobility demands, then, and only as evidenced by robust modelling and option testing, providing increased highway capacity for general traffic.

..."

### 7.3. Policy T2 Transport and Development

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Section 1 b) of T2 will be ineffective as, absent measures to ensure buses can run reliably and efficiently, improved bus services will not be possible, in support of the plan's own stated broad approach to transport mitigation, as well as wider local and national policy.

The draft policy does not require improvements to the quality of services such that sustainable choices will be materially more attractive than car use for many local journeys. Without this the Plan's Strategic Objectives cannot be fulfilled and the objectives of the Plan and this policy, read in its own terms, will not be realised, where reduction in private car use is concerned. It is thus ineffective.

Absent measures to make bus services more reliable and more efficient, by insulating them from chronic congestion as far as possible, still further operating resource and therefore costs, will be needed to just to reliably run existing service frequencies, and capacity, as vehicle productivity continues to be more and more adversely affected by chronic delay. This will be further aggravated by increasing incidence of severe unpredictable service breakdown arising from incidents of diverse kinds on the network, especially on or around the A27, including that arising from more regular severe weather events. Longer journey times can only be expected to lead to relative disadvantage of bus services compared to personal car use, entirely contrary to the objectives of national and local policy, including Policy T1. It can also expect to lead to a dampening effect not on car use, but on bus patronage, threatening the ongoing viability of bus services across the plan area.

Section 1 b) of T2 should be modified to read:

"b) Maximise opportunities for the use of sustainable travel modes through provision of direct and efficient access both to either the existing networks or and through providing such new infrastructure or public transport services, as can be credibly expected to reduce reliance on the private car and work towards achieving net zero in greenhouse gas emissions by 2050;"

Section 1 d) of T2 will be ineffective as the location of development is fixed by this plan. We commend the fact that all the strategic allocations are or will be served by regular bus services.

However, the use of public transport services, where available, depends on the relevance and reliability of these services. Furthermore, provision of services without them generating sufficient patronage to support their long-term operation also threatens the sustainability of the plan and its

supporting transport strategy. This is especially true of new services such as those intended to serve West of Chichester and Tangmere and East of Chichester Strategic Allocations.

This can only be assured by the plan being supported by specific measures to ensure buses can operate efficiently and reliably on the existing and projected services intended to serve the developments concerned, and also at the same time secure behavioural change from existing development.

To be sound and effective, the policy T2 1 d.) should be changed to read:

“d) Ensure major development is located to proposals and the supporting mitigation measures enable the use delivery of high-quality, reliable and effective public transport to present the most relevant possible choice to access local services and facilities including employment, leisure and education facilities”;

The Policy T2 makes no provision for buses, where necessary, to enter and make efficient and safe progress through major development sites. The plan is thus out of conformity with NPPF paragraphs 104-106. It makes no provision to ensure that penetration of bus services is achieved at a suitably early point in the development trajectory, undermining the achievement of the goals of the Plan and this specific policy. As a good example, West of Chichester Phase 1, currently under construction, cannot be served by buses as a strategy to effect interim bus penetration was never made.

Policy T2 1 f.) should therefore be amended to read:

f) Ensure that the layout and design of the site development proposals provides effective penetration of the site by sustainable modes, at all points in the development build-out, including public transport where appropriate; and sufficient space for all vehicles to manoeuvre without compromising the safety of pedestrians and cyclists, the efficiency of bus services, or the ability to provide an appropriate level of landscaping across the site”

Policy T2 3.) regarding Travel Planning depends entirely on its effectiveness on the quality and relative attractiveness of sustainable alternatives over car use. In the absence of efficient frequent, reliable and direct public transport services (or similarly, high quality facilities for active travel, Travel Plans will continue to be the entirely ineffective “tick box” exercises that they generally are today, evidenced by much lower levels of public transport use in most new developments than it seen in nearby established neighbourhoods, as demonstrated broadly by Census data in 2011, 2011 and 2021.

For this policy to be effective an up-to date transport evidence base and strategy, underpinning a series of specified interventions to promote the relevance and effectiveness of all sustainable does including public transport in particular, needs to be put in place.

#### 8. Chapter 9 Infrastructure – Policy I1 Infrastructure provision

Stagecoach Objects because the Plan:

- does not comply with the duty to cooperate
- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Policy I1 could not expect to be effective without a clear understanding of the effectiveness and costs of a defined series of measures that are laid out in this Plan and its IDP, to mitigate the transport impacts of the development strategy.

Where the Chichester Transport Study is concerned the only meaningful work has focused on the definition and delivery of a range of highways capacity schemes mainly on the A27 around Chichester.

As we have discussed elsewhere the effectiveness of these schemes is insufficient as set out at Tables 8.1 and 8.2 of the Chichester Transport Study 2023. The plan itself admits that the deliverability of this package cannot be afforded by developer contributions alone.

The Chichester Transport Study 2023 does not attempt provide a realistic assessment of costs to deliver these schemes, despite the fact that they have been under evaluation for many years. Nor does it offer any assurance that the schemes are technically achievable. Rather, it states the opposite:

“9.2.3 No investigation has been carried out into specific land ownership details, or into the location details or cost of moving statutory undertakers and utility apparatus within the areas of the scheme. No design assessments were carried out at this stage to ascertain the deliverability of the proposals except where any Health and Safety concerns were raised.”

Thus on the grounds of effectiveness, deliverability and affordability, the measures on which the Plan relies must at the very least be considered to involve an exceptionally high level of risk. Since Policy I1 is founded on these assumptions, it cannot be considered effective.

As we set out elsewhere, the Plan has been advanced on the basis that if any additional sustainable transport measures are required, these mitigations should be retroactively considered and defined after adoption of the Plan. In the light of the doubts that are apparent of both the deliverability, affordability and effectiveness of the Chichester Transport strategy this is especially unsatisfactory even if existing baseline conditions were reasonably acceptable.

However, the Chichester Transport Study 2023, as did its predecessors, makes plain that that existing problems are acute, and can rightly be considered “severe” in the sense of NPPF paragraph 111. Waiting to define deliverable affordable alternatives is an entirely inappropriate approach to the local plan transport mitigation strategy. Such an approach also makes it impossible to consider prior to adoption how far the transport impacts of the plan can be cost-effectively mitigated by alternative means, or whether they are deliverable having regard to technical achievability, land control, development viability, or any combination of the above. Thus, the plan cannot be considered justified, or effective.

Given the mutual dependence of development strategies in Chichester and Arun in particular on these measures this should be seen as crucial of the fulfilment of the Duty to Cooperate.

The remedy for this is ultimately to put in place a suitable transport mitigation strategy following a strategic appraisal of options through review of the LSS. This then must be supplemented by more detailed development specific and localised scheme definition, including, where necessary, bus priority and other measures to support the substantial promotion of the attractiveness of public transport in key bus corridors over private car use. This would then be reflected by costed proposals in the IDP.

Leaving these fundamental weaknesses to one side, even if such a strategy and mitigation package were defined, there is no mention of public transport in the policy even though it is clearly a key part of the policy environment and mitigation strategy for the plan as expressed in the explanatory memorandum for I1, but also at Policies T1 and T2. I1 thus does not effectively support the realisation of the intent of Policies T1 and T2.

Policy I1 iii) should therefore be modified to read:

“(iii) Safeguard the requirements of infrastructure providers, having regard to requirements within and where appropriate across the boundaries of the plan area, including but not limited to:

- Highways including specific measures to accommodate improved active travel and public transport level of service and cycle lanes, and...”

At limb v) the Policy expects developers to meet the “in perpetuity costs of operating and maintaining infrastructure”. This shackles development management decisions to developers assuming what are infinite costs – given that “in perpetuity”, read properly, can only mean “without any limit in time”. This means that it is impossible to meet the statutory tests on developer obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended) at Regulation 122, also repeated in NPPF. This policy cannot be lawfully implemented and it is thus ineffective.

In the absence of an up-to-date transport mitigation strategy that is fit for purpose, at the point the Plan is examined these costs of any additional infrastructure are not known in any case. The strategy and its costs, including its affordability and deliverability, are crucial to assessing if the Plan is sound.

Subject to an appropriate defined transport mitigation strategy being arrived at, to be sound, the Policy I1 v) should be modified as follows:

(v) To consider and meet as appropriate the in-perpetuity delivery costs of infrastructure and, where appropriate, improved services, to the point where its long-term operational sustainability is credibly assured from mainstream sources. Where adoption is not envisaged by local authorities, that must include arrangements for its future ongoing management and maintenance;

## 9. Strategic and Area Based Policies

### 9.1. Policy A1 City Centre Development Principles

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Chichester City centre is rightly identified at 10.2 and 10.4 as the commercial and service hub of the District. It is also acknowledged to be the most accessible place in the District by sustainable modes, public transport in particular.

Boosting the vitality of the city centre is something that Stagecoach strongly supports. Irrespective, the enhancement of the commercial and cultural life of the District in the place where these opportunities can be accessed broadly by sustainable modes, is one that has long been at the heart of national planning policy for town centres, reflected in the “town centre first” approach to locating major trip generating uses.

Paragraph 10.5 exposes an unbalanced and unsound preoccupation with aesthetic matters in its approach to the town centre, and far too little to ensuring that the central place function is enhanced through protecting and enhancing the quality of public transport access.

The city is relatively small but at the heart of an extensive hinterland, and thus the role of bus in supporting sustainable access to and enhanced city centre venue is one that needs appropriate recognition and emphasis. It is important to note that a dominant number of key service and facilities such as the General Hospital are relatively close to the city centre. This directly contributes to driving travel demand into the city, causing congestion. Most importantly, it also makes the task of mitigation simpler, given the impact a suite of active and sustainable measures can have within the same close proximity.

Policy A1 does not provide this. As such, achieving the strategic objectives of the plan is seriously threatened, and the plan is thus not effective.

The Plan needs to ensure that the approach to city centre regeneration maintains and enhances public transport access, interchange and inter-modal connectivity. It also needs to ensure that bus service stopping and interchange facilities are able to address increases in future demand, anticipated by the clear intent expressed elsewhere in the Plan that public transport should be meeting a greater proportion of mobility needs, in a growing district. Achieving this demands an ambitious approach to the location, quality and capacity of bus stop and interchange.

We have been in discussions with the District Council about this, alongside West Sussex County Council, for a very considerable period. Stagecoach has always been keen to help facilitate the Council’s aspirations for the city centre, and we continue to hold this intention. However, this cannot be at the expense of a material diminishing of the convenience and fitness-for-purpose of bus stop infrastructure and interchange. Stagecoach has significant concerns that current proposals to remove the bus station and have all bus services operate from the street kerbside, on an inner distributor road with similar or reduced net stop capacity, fall short of promoting attractive, convenient bus access to the central area as a destination.

For the longer term and where the objectives of the draft plan are concerned looking ahead to 2039, they clearly fall short of enhancing the convenience and attractiveness of public transport use. Much less do they make sufficient provision for a material increase in bus frequency, connectivity, and interchange convenience, on which the draft plan explicitly relies. It is vital that the District Council is clear in policy about its objectives for public transport in the city centre. These objectives must also carry sufficient weight when held in tension with other aspirations for the centre and the constraints on achieving them.

For the Plan to be sound, properly effective and compliant with NPPF, the approach to the City centre cannot ignore its role in the provision of sustainable transport service and connectivity.

Policy A1 should therefore be modified to properly reflect this crucial function, on which the vitality of the city centre must increasingly depend if unacceptable impacts on congestion, air quality and amenity are not to arise. This is still more crucial if wider aspirations to secure a more sustainable society and mitigate carbon are to be achieved.

“...This will include provision for development and proposals that:

- Support and strengthen the vitality and viability of the city centre and its role as a shopping/visitor destination, employment centre, public transport hub and a place to live;
- Support and promote facilitate improved access to the city and with increased emphasis on sustainable modes of travel, with particular regard to enhancing the public transport interchange role of the city centre area, in accordance with the transport strategy for the city and...”

### 9.2. Policy A3 Southern Gateway Development principles Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

There has been aspiration to redevelop the bus station and nearby bus depot from many years. Stagecoach has been engaged with detailed discussion with the District Council on this matter over a very extended period. We confirm that these discussions have reached a relatively mature stage, however at the time of writing are not concluded.

Stagecoach recognises and supports in principle the Council’s wider aspirations for the “Southern Gateway”, and this has governed our approach to the Council to date. We continue to have no “in principle” objection to relocating our administrative, engineering, operational and customer service facilities.

Leaving our proprietary interests entirely to one side, it remains vital that in so doing, the effectiveness, attractiveness and convenience of these facilities is not compromised, as we have outlined in our representations to Policy A1, if wider national and local transport policy, and the local plan strategy itself, are to be effectively achieved.

The depot is crucial infrastructure to support the safe, reliable and legally-compliant operation of Stagecoach bus services over a very extensive area covering the entirety of the District and beyond. Without securing equivalent facilities, that are fit-for-purpose, many of our services would have to cease.

If buses are to provide a greater and more attractive level of service (still more so if they are to be electrified) larger, more capable depot facilities, and city centre bus interchange facilities will be necessary.

Notwithstanding that the bus station and depot sites are leased from the District Council, these leases terminate well beyond the end of the plan period.

Finding suitable sites for a replacement bus depot in Chichester, in common with all similar localities especially in southern England, is extremely challenging. As a sui generis use, bus depots do not automatically benefit from policy support on land allocated for employment uses. Most bus depots benefit from being legacy assets established under very different economic conditions. That is the case here. The value of a depot site for redevelopment net of demolition and remediation costs, rarely approximates to that able to sustain the acquisition of land in a tight wider employment land market, and the construction of suitable new facilities.

Furthermore, the costs of operating bus services are sensitive to the parasitic costs of vehicle and staff hours and mileage associated with “dead running” to a remote depot location from the operational network. Here, the existing depot site is ideal, and any replacement will unavoidable add ongoing operational costs to the operation that cannot be directly recovered.

We confirm that a replacement depot site has been identified and has in principle been agreed, subject to overcoming issues with the disposition of existing and future structures on the site. However, the site is recognised as not capable of accommodating meaningful operational expansion. This is just one of the most important foundational reasons why a positive transformation of bus productivity needs to be achieved, across the plan area and beyond, to support delivery of greater bus mileage and frequencies with the same level of operational resource. At the time of writing, we are not fully convinced that the proposals for the relocation will be sufficiently fit-for-purpose in the event the above is not achieved. Thus, we must raise a concern that the bus depot site might not be available during the plan period. While there is a strong probability it will be, the certainty surrounding the availability of the site, especially within the first 5 years of the plan, needs to be made transparent.

### 9.3. Policy A4 Southern Gateway - Chichester Bus Station, Bus Depot and Basin Road Car Park

Stagecoach Objects because the Plan:

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Regarding the removal of the bus station, without equivalent replacement, Stagecoach has significant concerns. Pressures and conflicts at the current bus station site have been gradually rising for several years, arising from increasing use and the need for additional scheduled vehicle layover periods to reduce the risks of accumulated late running from traffic congestion. Peak passenger volumes have recovered strongly on several routes, however passenger accumulations resulting from more frequent delays and disruption have added substantial further pressure on limited space.

Under current plans, buses and bus passengers will be displaced to bus stops at new locations outside the city centre, along Avenue de Chartres. This road was always intended to be a relatively high-speed traffic route, outside the historic core of the city. The city centre has evolved in the subsequent years to reinforce already strong natural severance, with the highway lying beyond the city walls and the green space along the Lavant. It is a traffic dominated, unsurveyed and unattractive environment, reflecting the intended function of the road as an efficient movement corridor for high traffic volume, and nothing more. Avenue de Chartres is relatively close to the rail station and pedestrian connectivity can be provided at broadly equivalent distance to the current bus station, but again it is unsurveyed and currently unpleasant, lacking natural legibility or any sense of prominence.

We understand kerbside capacity on Avenue de Chartres will be strained even to accommodate current levels of service, with no expansion possible. There is therefore a strong probability that to accommodate more frequencies and key new routes, such as West of Tangmere, East of Chichester and West of Chichester allocations, additional future bus stops must occupy a different location. This makes interchange between routes and rail services substantially challenging and less attractive.

The emerging arrangements risk marginalising public transport and public transport users substantially. This strongly undermines achievement of the wider plan objectives and delivery of a significantly greater role for public transport. If substantial public transport growth is to be accommodated in a growing city and hinterland, as the draft plan anticipates, then a more ambitious strategic approach must be taken. This should plan for additional and improved facilities to accommodate all services predicted to be required, whilst enhancing the passenger experience to ensure meaningful and attractive modal choice.

There is therefore a need for the plan to evidence how these issues will be appropriately resolved, having regard to a suitably ambitious approach that properly supports clear objectives to boost the relevance of public transport. The current policy is weak, unspecific and indifferent to achieving the strategic objectives of the plan, including a transport strategy in support of the plan, and as such it is ineffective.

Policy A3 should therefore be modified to read:

- “ ...  
 • Be designed to encourage and facilitate substantial increase in the use of active travel and public transport to, from and through the city centre.  
 ... ”

In line with the commentary above Policy A4 should also be modified to read:

3. Enhance the public interchange function of the immediate area, the public realm, particularly connections to the railway station and the city centre via South Street, Southgate and Basin Road for pedestrians, cyclists and public transport users, and to National Cycle Route 2 and Route 88 which run close by. Suitable replacement bus stops and layover facilities should be provided to replace those at the bus station in line with reflecting the objectives of the West Sussex Bus Service Improvement Plan, and to facilitate growth to meet the requirements of the plan’s development strategy. Routes and crossings should reflect pedestrian desire lines, and public art should be incorporated to create a sense of place;

4. Enhance the public realm, in support of this and wider objectives, incorporating public art and other measures to create a strong and attractive sense of place.

...(renumber remaining points)

### 9.4. Policy A6 Land West of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework

- is not effective

This is an existing Local Plan allocation. The public transport strategy for the site depends on the delivery of the second phase which Stagecoach notes is the subject of several applications now awaiting review and determination by the Council.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling.

It is vital that a bus service is delivered to serve the site at the earliest potential. This was anticipated to be at the start of Phase 2 and will require the early delivery of the entire length of the spine road between the Old Broyle Road and Westgate and making it available for bus services.

It is not clear if the costs of pump-priming the service mentioned in the draft policy are anticipated to be met by the developer. Without such funding, the service will not be deliverable as years of losses will never credibly be covered from future profit. It is likely that the current wording will be interpreted by the developer as meaning that they have no such obligation binding upon them. Not does policy set out any specification for this service, thus its costs and the basis for securing developer contributions does not exist.

As such any wider transport strategy, that seeks to secure a greater role for the use of public transport, and the aspiration for this allocation cannot demonstrably be met. The policy is ineffective.

Policy A6 should be modified to read:

" ...

10. Make provision to accommodate and secure delivery of for regular bus services linking running through the site to Chichester city centre operating at least every 30 minutes Monday-Saturday, and new and improved cycle and pedestrian routes linking the site with the city,

" ...

#### 9.5. Policy A7 Land at Shopwhyke

Stagecoach Supports

This is an existing Local Plan allocation, largely built-out, that benefits from an existing set of permissions.

The public transport strategy for the site depends on the delivery of effective bus priority at Oving Crossroads. The current recently implemented scheme, undertaken by National Highways, makes no provision for effective bus priority and needs considerable re-evaluation.

The site represents a compact form of development adjoining the city, as the most sustainable settlement, meeting housing needs close to where they arise, and affording very good opportunities for the use of sustainable modes, especially walking and cycling. It lies on a new bus corridor that will shortly be put in place, running to Tangmere via Shopwhyke. The allocation is being significantly consolidated by further development in the immediate vicinity which strongly supports the potential for this new service.

As we explain in our representations for East of Chichester proposed allocation A8, and West of Tangmere Allocation A14, a clear corridor strategy to effect bus priority is needed, that should be delivered in support of that further growth, and that at Tangmere SDL. However this allocation is a near complete commitment and there is no scope through policy regarding this land to effect this outcome.

It is notable that Point 6) of policy A7 makes mention of a bus service. This language reflects the currently adopted Local Plan policy and has underpinned the existing permissions. The failure of any bus service to be delivered demonstrates from first principles that this Policy has been entirely ineffective. It is important that lessons are learned from this in the Local Plan Review.

#### 9.6. Policy A8 Land East of Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This proposed allocation lies next to unallocated land that is already consented as a departure from the adopted development plan, with 143 units near completion south of Oving Road (20/02471/FUL). Additional land, also unallocated but similarly consented, has now commenced north of Oving Road (88 units under 21/02197/FUL). This and the allocation site consolidates earlier development at Shopwhyke brought forward under the current Local Plan, and allocated again as draft policy A7.

Development at Shopwhyke was brought forward on the basis of a premise that the developer would provide or somehow arrange a bus service, that was reflected in the policies of the current Local Plan. This was secured by an unenforceable condition. No bus service has been provided, as there was inadequate clarity regarding the basis on which the costs of establishing such a service would be met by the developer, and the expectations of policy on the developer. The site does however lies on a logical new bus corridor between Chichester and West of Tangmere along the Oving Road.

In addition, an expectation that modifications to the Oving Crossroads would effect bus advantage have proven false – the arrangements put buses into a similar or longer queue than if they use the route available to general traffic to and from the A27.

Stagecoach strongly supports the principle of bringing this land forward. However, the soundness of the site depends on deliverability of a regular, reliable and direct bus service along the Oving Road, taking advantage of effective bus priority.

Given the failure of existing policy in the adopted Local Plan covering the proposed A7 allocation to deliver a bus service, it is of great concern that there is no draft policy to adequately address the issue. The policy is out of conformity with NPPF paragraph 104-105 in that sustainable modes do not offer realistic choices, much less an attractive one, and as such also does not secure the objectives of national policy nor of the plan itself.

Currently the proposed allocation is not served at all by public transport. Policy needs to ensure there is a policy basis to secure contributions to deliver such a service, which may well take the form of a proportionate contribution to deliver a new service or enhance provision that is put in place between Chichester along the Shopwhyke Road to west of Tangmere.

To become sound Policy A8 must be modified to read:

" ...

12. Provide for improved high quality connectivity by sustainable travel modes and focused in particular on a corridor between Chichester city centre and Tangmere along Shopwhyke Road, including new improved cycle and pedestrian routes, and a frequent bus service including linkages with Chichester taking advantage of effective bus priority measures on Oving Road at the A27;

" ...

#### 9.7. Policy A9 Land at Westhampnett/North East Chichester

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework

- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

This land is already allocated and consented as part of the existing 2016 Local Plan. All reserved matters are determined.

The site lies on service 55 between Chichester, Westhampnett and Tangmere. This established service benefits from additional demand from the development at Phase 1. Phase 2 which is currently well underway, does not benefit directly from bus services. However it is a compact and logical form of development where walking and cycling to local facilities and employment is a credible option.

The existing allocation rolls forward policies in the 2015 Local Plan. In so doing it is possible to see which have been effective.

Point 9. regarding bus service and routing has not been effective. In particular the potential for a bus only link between the site and Graylingwell has not been established as policy anticipated. Given congestion around the Portfield area acutely affects public transport this, or alternative methods to secure bus priority over private car use, a clear and unequivocal policy steer is required.

The lack of an up-to-date transport evidence base is ultimately at the root of these issues. Arguably the policy and allocation can only be made sound once this refreshed evidence base in place.

However, it is possible that the allocation could be made sound by modification of Policy A9 as follows:

“ ...

9. Make provision for regular, direct and reliable bus services linking the site with Chichester city centre, and new and improved safe and convenient cycle and pedestrian routes linking the site with Chichester city, the South Downs National Park and other strategic developments to the east of Chichester city including Tangmere. These objectives could include exploring the potential for a bus only route require a deliverable scheme to afford bus priority through Portfield, and potentially linking the development with the Graylingwell area through use of a modal filter;

”

#### 9.8. Policy A10 Land at Maudlin Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing public transport route. It is relatively close to the city and very near substantial centres of employment and services that can be reached by active travel modes, helping damp the demand for car use. It is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services at Portfield and over a wider area. In fact, the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A10 should accordingly be modified to read:

“ ...

5. Provide safe and suitable access points for all users, including a main vehicle access from Old Arundel Road and, subject to further assessment, a secondary vehicle access from Dairy Lane. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes;

”

#### 9.9. Policy A11 Bosham – Land at Highgrove Farm

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Bosham Station. It is relatively close to the city and very near substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A11 should accordingly be modified to read:

“ ...

8. Provide safe and suitable access points for all users, including a main vehicle access from the A259. The development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys crossing the A27 at Fishbourne;

## 9.10. Policy A12 Chidham and Hambrook

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach supports the identification of this site, which consolidates significant recent development on an existing high quality public transport route, including Stagecoach service 700 and the Coastway rail service available at Nutbourne Station. Substantial centres of employment and services that can be reached by public transport and cycling, offering strong potential to materially damp the demand for car use.

There are serious risks that development in the A259 corridor west of Chichester could place further demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular to bus services.

Nevertheless, given the potential to effect bus priority on the approaches to Fishbourne Roundabout, it is a site which, with appropriate measures to substantially boost the relevance and attractiveness of sustainable choices, could be made sustainable.

The draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact the only reference that is made is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...

7. Development should make the requisite contributions for off-site highway improvements to transport infrastructure and services, with an emphasis on maximising the attractiveness of sustainable modes, in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development), which will include promoting sustainable transport options high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes on journeys along the A259, crossing the A27 at Fishbourne and where necessary on the approaches to Emsworth;

8. Facilitate improved sustainable travel modes, and new improved cycle and pedestrian routes, including linkages with Chichester city and settlement along the East/West Corridor;

## 9.11. Policy A13 Southbourne Broad Location for Development

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach agrees unequivocally that Southbourne is a location that could accommodate growth on a strategic scale. It has a substantial range of service available within the settlement, including secondary education. It is well connected by bus and rail service to key destinations, including Chichester, lying to the east and west.

This is one of the few locations identified for growth that represents substantial additional development in a new location to the strategy in the existing Local Plan adopted in 2015. Thus, the transport impacts of development on the substantial scale envisaged at Southbourne are not covered or accommodated by the Chichester Area Transport Strategy that lies behind the existing plan. This demands, from first principles, that substantial further transport mitigation measures are required.

We recognise and endorse fully that the intent of the draft plan for Southbourne as a Broad Location for Development on a strategic scale, includes "Maximising the potential for sustainable travel links through improved public transport, including consideration of opportunities to reduce community severance caused by the railway line as well as the inclusion of cycling and pedestrian routes." (our emphasis).

The existing railway station at Southbourne is served regularly, however, it is not within the power of this plan to improve rail services. It is, however, well within the scope of action of the Local Planning and Highways Authority to work with bus operators to achieve a step change in the journey time, reliability, frequency and connectivity of bus services, and in particular the major corridor operated as service 700 by Stagecoach along the A259 between Havant and Chichester through Southbourne.

Notwithstanding the clear potential for sustainable connectivity in the western A259 corridor, there are very serious risks that development in the A259 corridor west of Chichester will place further significant car-borne demands on the junctions at Fishbourne and approaching Emsworth, leading to even more chronic and severe delay to travellers and in particular bus services, having the opposite effect to that intended: longer, less reliable and less frequent bus services, leading to a spiral of slowly declining use.

These risks, while very serious, look credibly likely to be entirely mitigated subject to carefully conceived and robust specified actions on the local highway network. It is perplexing to us that this potential still has not been identified, as part of a comprehensive "first principles" review of the transport evidence base. In particular given the former trunk status of the A259, there is evident potential to effect bus priority on the A259, including on the approaches to Fishbourne Roundabout.

With appropriate measures, including but not limited to this, to substantially boost the relevance and attractiveness of sustainable travel choices, strategic development at Southbourne could well be made highly sustainable.

In the absence of a refreshed transport strategy and transport evidence base, the draft policy is not sufficiently clear and robust about the measures to support the damping of car trips that will be required to support development at this location without having an unacceptable impact on traffic conditions, congestion and the reliability of bus services on the approaches to the A27 and over the wider corridor to the west. In fact, the only reference that is made in Policy is that the development should fund highways capacity improvements. These improvements, as set out in the Chichester Transport Strategy, do not accommodate growth from additional sites over and above those already allocated in the 2015 Local Plan. They do not secure any mode shift away from car use. An update of this strategy has yet to be produced. This is an unsound, inadequately evidenced approach, that will be ineffective.

Policy A12 should accordingly be modified to read:

"...Development should be comprehensively masterplanned to achieve a high-quality design and layout that integrates well with the surrounding built



and natural environments to enable a high degree of connectivity with them, particularly for pedestrians and cyclists, and provides good the highest possible quality of access to facilities and sustainable forms of improved public transport services.

...

4. Provide a suitable means of access to the site(s), and securing secure necessary off-site transport infrastructure and service improvements (including highways in particular to the A259 corridor between Emsworth and Chichester) in conformity with the Policy T1 (Transport Infrastructure) and T2 (Transport and Development) to promote sustainable transport options prioritising delivery of high quality pedestrian, cycling and public transport routes, and providing substantial peak journey time advantage for sustainable modes;

..."

#### 9.12. Policy A14 Land West of Tangmere

Stagecoach Objects because the Plan:

- is unsound as it does not conform to the National Planning Policy Framework
- is not effective
- is unsound because it is not based on relevant proportionate and up to date evidence

Stagecoach strongly supports the principle of intensifying the level of development at the Strategic Development Location already identified and allocated West of Tangmere in the existing Local Plan. This serves to consolidate development at a location where effective and attractive public transport choices could be provided. It also conforms closely with the principle expressed in NPPF that the best possible use should be made of land on sites that are judged to be sustainable, or potentially sustainable locations for development.

It must be stressed that the current policy suite for the SDL has to date not brought forward development in this location. We recognise that a Master Plan has been adopted by the Council, and that a planning application (20/02893/OUT) for the full larger quantum of 1300 dwellings proposed in the draft plan has received a resolution to grant by the Council.

However, we are not aware that a sustainable transport strategy has been finalised.

Land West of Tangmere is not served by any existing regular bus services. Rather, an entirely new bus service corridor is anticipated to operate in the near term from Chichester through Tangmere and beyond towards Barnham. This would serve proposed allocations A7, A8 and West of Tangmere (A14) included in the draft Plan.

This is reflected in the language of the explanatory memorandum to Policy A14 at paragraph 10.65:

"Opportunities, in partnership with relevant authorities, to provide improved sustainable public transport routes linking the village with Chichester city, to improve cycle routes to the city, and better transport links to Barnham rail station and the 'Five Villages' area in Arun District; and.."

Initiating this service will be costly and will in large measure be funded not by developer contributions, but by DfT monies awarded through the West Sussex Bus Service Improvement Plan. It is crucial this service is both sustainable in the longer term without revenue support, and that the success of the service can be built on by scalable frequency improvements as strategic development comes forward in both Chichester District, and proposed allocations A7 A8 and A14, and in Arun District, in particular at Barnham, Eastergate and Westergate (BEW).

This demands measures to effect safe, direct and swift operation of the service especially within the city centre, where it approaches and crosses the A27 at Oving crossroads and on the eastern fringes of the District east and west of Tangmere. Without these measures, bus journey time and reliability will be severely compromised and the and impact of this service to damped car trip demands will be very substantially compromised. No such measures are proposed in the draft plan or its evidence base.

Changes to Oving Crossroads have recently taken place which, amongst other intentions, ostensibly provide bus advantage between Chichester and Shopwhyke. The junction in its current form does not offer material gain in bus journey time, as movements involve a less-direct route towards the city over an increased operating distance, much of which involves passage through heavily congested sections of the A27 and Westhampnett Road. A refreshed transport strategy supporting plan-led growth must revisit this area to secure an effective solution which offers bus customers the fastest and most reliable trip-time to and from the city.

In addition, the extension of public transport connectivity towards BEW and Barnham, including key links to secondary education and a logical railhead for journeys beyond towards Brighton and London as provided at Barnham Station, needs to facilitate bus priority between Tangmere and Nyton – whether using the A27, or preferably avoiding it altogether. There are significant safety concerns associated with the at-grade uncontrolled right-hand A27 exit onto the B2233 Nyton Road at Crockerhill Turn. This movement is also prone to extreme delay owing to the conflict with approaching westbound traffic on the A27, travelling at speed, which has priority. Our concerns with this junction in its current form can be expected to worsen with the increased traffic volumes predicted from new residential developments to the west of the city.

A solution providing a suitable short length of highway available only to sustainable modes, between Tangmere and Easthampnett, could provide a very effective solution to this. This would be deliverable within the scope of the separate proposed allocation at A19 Chichester Business Park, Tangmere. We comment on this separately.

Howsoever effected, a reliable direct and delay-free bus corridor between Barnham, BEW, Tangmere and Chichester could expect to secure very substantial elevation of the relative attractiveness of public transport over car use on the entire corridor and serve to effectively damp growth-related demands on this section of the A27. West of Tangmere, in the longer term, there is evident scope for the route corridor to operate as two branches – one via Shopwhyke and one via Westhampnett, effectively serving all the strategic developments proposed in the plan and transforming wider public transport connectivity to key employment destinations and services within and east of Chichester.

However, in common with all the other proposed allocations, the plan proposes no specific measures to provide, much less improve public transport or other sustainable modes to the site. This leaves the draft plan out of conformity with NPPF, especially paragraphs 104-106. The plan is inadequately evidenced and to the degree that public transport measures are identified and emergent, their successful implementation in the near and longer term will be jeopardised without clear measures to provide a safe as well as efficient bus route towards BEW and the Five Village area within Arun. The Duty to Cooperate is not effectively met and effective cross boundary collaboration on these strategic issues through the review of LSS is not demonstrated, despite the current version which identifies the issues.

To be made sound the LSS Review and a subsequent urgent review of the transport evidence base and strategy needs to take place. The strategic issues are especially critical east of Chichester, in our view.

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

..."

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including improved direct, seamless safe and reliable and additional bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, Opportunities should also be explored contributions shall also be sought for providing improving high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

#### 10. Concluding comments

Stagecoach recognises its role as a key stakeholder in the plan, as well as a local employer and corporate citizen. We recognise the primacy of the plan-led system as the mechanism intended to resolve complex challenges, including the proper alignment of transport and spatial planning, which as the National Decarbonisation Strategy for Transport among other policies makes clear, has never been more vital.

In making our representations, we emphasise that we are entirely supportive of the Local Planning Authority and the relevant Highways and Transport Authorities, in their efforts to properly manage the amount and pattern of development to secure vital policy objectives. We recognise that balancing delivery of assessed development needs with a wide variety of other constraints is a very difficult task.

The transport issues faced by the plan are recognised in the draft plan as being serious and long-standing. We believe that there are ways to arrive at a suitable transport mitigation strategy that has regard to wider strategic issues and resolves existing problems in a much more effective way than those pursued to date.

We support the spatial strategy of the plan as it evidently provides the basis to secure the necessary step change in the quality and use of sustainable transport modes, as it explicitly seeks to do. However thus far, there has been insufficient work done to define the measures that will credibly secure these outcomes.

Stagecoach therefore urges the authorities to draw us into the necessary effective ongoing collaborations that is expected by NPPF paragraph 16 and 106; and DfT Circular 01/022, to do this work, prior to, rather than after the submission of the draft plan. We look forward to being approached to initiate this dialogue at the earliest opportunity.

#### Change suggested by respondent:

Notwithstanding this foundational deficiency, to be made sound, Policy A14 should be modified to read:

"...

8. Subject to detailed transport assessment, provide primary road access to the site from the slip-road roundabout at the A27/A285 junction to the west of Tangmere providing a spine road link with secondary access from Tangmere Road. Development will be required to provide or fund mitigation for potential off-site traffic impacts through a package of measures in conformity with Policy T1 (Transport Infrastructure) and T2 (Transport and Development) and DfT Circular 01/2022 that maximise the relevance and use of sustainable travel modes, in particular bus services;

9. Make provision for improved sustainable travel modes between Tangmere and Chichester city, in partnership with relevant authorities, including direct, seamless safe and reliable bus and cycle routes linking Tangmere with Chichester city, Shopwhyke and Westhampnett. In conjunction with measures in support of Allocation A19, contributions shall also be sought for providing high quality cycling and bus service transport links with the 'Five Villages' area and Barnham rail station in Arun District; and..."

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** No

**Attachments:** Chichester Local Plan 2039 Regulation 19 Stagecoach South representations.docx - <https://chichester.oc2.uk/a/skh>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mrs Kathleen Tiernan [7974]

#### Summary:

I would like to say that this policy is not sound as my house looks directly over the north with views of the outstanding South Downs, part of the historical views in the conservation report. Also a sports pavilion so close to a church with war graves I feel would be very disrespectful.

#### Full text:

See representation

#### Change suggested by respondent:

A sports pavilion should be position on the other side of the development in the west, nearer to Shopwhyke.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** A14 submission - redacted - <https://chichester.oc2.uk/a/skq>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Susan Johns [8160]

#### Summary:

Policy is not sound and not consistent with the Policy P11 relating to Conservations Areas.

#### Full text:

See attached representation

#### Change suggested by respondent:

A14 should be cancelled as not consistent with the Conservation Area Policy P11 which relates to Conservation Areas.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Local Plan Rep Mrs Susan Johns\_Redacted - <https://chichester.oc2.uk/a/sqr>

**Document Element:** Policy A14 Land West of Tangmere  
**Respondent:** Countryside Properties [7291]  
**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

Support re-allocation under policy A14. Confirm site remains suitable for mixed-use, no known overriding constraints to delivery. Further evidence in support can be found under 20/02893/OUT.

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/smp>

**Document Element:** Policy A14 Land West of Tangmere  
**Respondent:** Church Commissioners for England [1858]  
**Agent:** Lichfields (Tara Johnston, Planner) [7506]

**Summary:**

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

**Full text:**

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021. These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

**Chapter 2: Vision & Strategic Objectives**

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

**Chapter 3: Spatial Strategy and Settlement Hierarchy**

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

**Policy S1 Spatial Development Strategy**

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterate that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

**Policy S2 Settlement Hierarchy**

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to

capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

#### Chapter 4: Climate Change and the Natural Environment

##### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

##### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.

##### Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

#### Chapter 5: Housing

##### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

##### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

##### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

##### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural

exception sites that will provide affordable housing to meet identified local needs’.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where ‘the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas’. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that ‘applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...’.

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of ‘some market housing’ where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

‘Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included’.

#### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add ‘where appropriate and viable’, acknowledging that viability and site-specific factors need to be taken into consideration.

#### Chapter 6: Place-making

##### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

#### Chapter 7: Employment and Economy

##### Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that “approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period.” Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

#### Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council’s proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE’s land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

##### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE’s control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for

mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

#### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE's control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as 'developable'. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council's concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

##### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

#### Change suggested by respondent:

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Legally compliant: Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

## Support

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

### Summary:

Rolls-Royce Motor Cars (R-RMC) acknowledges the updated allocation of the Tangmere Strategic Development Location (SDL). The site is located just south of the existing and proposed expanded R-RMC Goodwood site, which indicates that there may be interrelationships between the two sites as they come forward for development. R-RMC is committed to working with the Council to ensure that any cumulative impact is assessed appropriately, and any required mitigation reasonably and proportionately shared, reflecting any such cumulative impact.

### Full text:

Rolls-Royce Motor Cars (R-RMC) acknowledges the updated allocation of the Tangmere Strategic Development Location (SDL). The site is located just south of the existing and proposed expanded R-RMC Goodwood site, which indicates that there may be interrelationships between the two sites as they come forward for development. R-RMC is committed to working with the Council to ensure that any cumulative impact is assessed appropriately, and any required mitigation reasonably and proportionately shared, reflecting any such cumulative impact.

### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Forestry Commission (Richard Cobb) [8202]

### Summary:

Forestry Commission provides advice, does not support or object.

The requirement for significant levels of green infrastructure is welcome. This policy could be strengthened by requiring development to retain and bolster existing hedgerows and trees wherever possible.

### Full text:

Please note that as a Non-Ministerial Government Department, we provide no opinion supporting or objecting to planning applications or local plans including their soundness or legal compliance.

Rather we are including advice and information that we advise the Council consider to ensure their pre-submission local plan avoids potential impacts and promote enhancements/expansion as part of the proposed local plan regarding trees and woodland, including ancient woodland. We acknowledge that the purpose of Regulation 19 consultations does not usually extend to making substantial changes which are not related to soundness so we offer our advice as helpful guidance to ensure the local plan takes every opportunity to secure the protection, enhancement and expansion of Chichester's valuable trees and woodlands to comply with planning policy, good practice and to make the most of the many benefits they provide to the environment, local economy and community.

### Overall Comments

Ancient woodlands, veteran and ancient trees are irreplaceable habitats, and it is essential that they are considered appropriately to avoid any direct or indirect effects that could cause their loss or deterioration, in line with Government Standing Advice. Ancient Woodland has very high potential ecological value and should act as integral focal points, alongside other locally and nationally designated sites, as part of delivering landscape scale nature recovery.

Any development or plan that include these irreplaceable habitats on or near to the site should aim to deliver high standards of net gains and ecological connectivity that supports wider ecological networks, in line with good practice. This will also be a requirement as part of the local nature recovery strategies being driven by the Environment Act 2021 and we advise that plans should anticipate this to maximise environmental benefits to contribute to reversing the national trend of ecological decline as part of broader nature recovery networks. The Local Plan should be considered as a crucial and timely opportunity to secure significant and strategic, plan-led environmental gains due to their scope and scale, particularly given the timescales of development being influenced that coincide with UK Government commitments regarding halving emissions and protecting 30% of nature by 2030, towards a net-zero carbon and nature positive economy.

The development strategy should prioritise the protection of trees and woodlands with the highest priority being given to ancient woodland, ancient and veteran trees as individual habitats and as part of wider ecological networks.

### Site Allocation comments:

#### Policy A7 Land at Shopwyke (Oving Parish)

Site specific considerations could recognise the existing trees, hedgerows and woodland and prioritise their protection, enhancement and expansion as part of biodiversity net gains. Acoustic screening referred to could also use trees to make the most of multi-functional benefits they bring.

#### Policy A8 Land East of Chichester

We welcome efforts to bolster the existing woodland and the proposed strategic wildlife corridor to the East and the enhancements that development could bring.

#### Policy A11 Highgrove Farm, Bosham

Bolster planting to North, South and East is welcome. This policy could be improved by requiring bolster planting to the West as well, where there appears to be an existing line of trees, making it well placed to further contribute to wider connectivity with existing and additional planting.

#### Policy A12 Chidham and Hambrook and Policy A13 Southbourne Broad Location for Development

We note that more detailed proposals will emerge as part of a Neighbourhood plans. We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this). The policy could be improved by highlighting its importance and high priority as part of efforts to protect, enhance, expand and connect habitats as part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area. The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development

#### Policy A14 Land West of Tangmere

The requirement for significant levels of green infrastructure is welcome. This policy could be strengthened by requiring development to retain and bolster existing hedgerows and trees wherever possible.

#### Policy A16 Goodwood Motor Circuit and Airfield and Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

#### Policy A21 Land east of Rolls Royce

This area contains areas of existing trees, hedgerow and woodland which are not currently mentioned by the policy. We would encourage any development to be sensitive to this and provide additional planting where possible.

#### Overarching comments

We would welcome the consideration of incorporating large and small pockets of multi-functional woodland as part of green infrastructure provision for development, particularly given the relatively low proportion of woodland found throughout the District, and the benefits this can have as 'stepping stones' between habitats as part of the Local Plan's welcome vision of strategic wildlife corridors.

We also encourage the Council to appraise the plan against the following advice to maximise the benefits from protection, enhancement and expansion of woodlands, trees and connectivity throughout the District:

#### Additional improvements to consider

- Tree/hedgerow removal is considered as a last resort but where it is justified, we advise that developments can aim to deliver no net deforestation to help encourage development that provides an overall environmental gain. Where trees are required to be removed, additional tree planting will be made to compensate for this loss and we would advise that additional planting should be made to help compensate for the loss of habitat in the time it takes for new trees to mature.
- Long term management and maintenance of planted trees and woodland creation to give them every chance to becoming established and where trees do fail, they are replaced
- A minimum standard for tree canopy cover for new developments (e.g. for large-scale developments) as it provides a targetable level of green infrastructure in relation to trees for the numerous ecosystem services they provide.
- Precautions should be incorporated into any woodland design and tree planting to ensure that habitat creation is established successfully and that potential impacts from deer are managed on site and in the surrounding area as appropriate. See here for further guidance that should be followed for managing impacts from deer as part of woodland creation and tree planting: <https://www.gov.uk/government/publications/woodland-creation-and-mitigating-the-impacts-of-deer/woodland-creation-and-mitigating-the-impacts-of-deer> Some good practice advice is also provided in Appendix 1 of this letter.
- We advise that any tree planting should meet the following:
  - o Trees should be healthy and good practice biosecurity should be followed to prevent the risk of spreading pests and disease, in line with Government advice: <https://www.gov.uk/government/collections/tree-pests-and-diseases>. More information on the plant healthy can be found at: Welcome to Plant Healthy - Plant Healthy
  - o Created or restored habitat should be managed in perpetuity in line with a robust management plan that follows good practice to ensure assumed benefits of created habitats are delivered in practice (see Standing Advice referred to on page 1). We recommend meeting the UK Forestry Standard to demonstrate this.
- To help mitigate climate and support local economy would urge council to develop local plan policy that makes use of locally sourced timber. This has multiple benefits as it can help store carbon within development, reduce impact from transportation, reduce embodied carbon from alternative materials and support local economies and communities.
- Where developments incorporate District Heating, consider locally and sustainably sourced wood-fuels for the benefits this can have for renewable energy and towards a local, circular economy
- Use tree planting as part of nature based solutions for managing flood risk as well as other multi-functional benefits from green infrastructure as part of any development (e.g. Trees and woodlands provide £400 million of value in flood protection)
- We encourage the Council to refine their strategy to trees and woodlands using the recently launched 'Trees and Woodland Strategy Toolkit' available here: <https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/> to design and deliver a local tree strategy to harness the long-term benefits that trees can bring to local communities. The local plan should be developed with tree/woodlands in mind as an integral part, alongside other supplementary strategies for the environment including biodiversity, green infrastructure, nature recovery and climate change.

#### Key guidance regarding trees, woodland and development

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 180(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In considering the impacts of the development on Ancient Woodland, Ancient and Veteran trees, the planning authority should consider direct and indirect impacts resulting from both construction and operational phases.

Please refer to Natural England and Forestry Commission joint Standing Advice for Ancient Woodland and Ancient and Veteran Trees, updated in January 2022. The Standing Advice can be a material consideration for planning decisions, and contains advice and guidance on assessing the effects of development, and how to avoid and mitigate impacts. It also includes an Assessment Guide which can help planners assess the impact of the proposed development on ancient woodland or ancient and veteran trees in line with the NPPF.

Existing trees should be retained wherever possible, and opportunities should be taken to incorporate trees into development. Trees and woodlands provide multiple benefits to society such as storing carbon, regulating temperatures, strengthening flood resilience and reducing noise and air pollution.[1] Paragraph 131 of the NPPF seeks to ensure new streets are tree lined, that opportunities should be taken to incorporate trees elsewhere in developments, and that existing trees are retained wherever possible. Appropriate measures should be in place to secure the long-term maintenance of newly planted trees. The Forestry Commission may be able to give further support in developing appropriate conditions in relation to woodland creation, management or mitigation.



Biodiversity Net Gain (BNG): Paragraph 174(d) of the NPPF sets out that planning (policies and) decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 180(d) encourages development design to integrate opportunities to improve biodiversity, especially where this can secure net gains for biodiversity. A requirement for most development to deliver a minimum of 10% BNG is expected to become mandatory from November 2023. The planning authority should consider the wide range of benefits trees, hedgerows and woodlands provide as part of delivering good practice biodiversity net gain requirements. Losses of irreplaceable or very high distinctiveness habitat cannot adequately be accounted for through BNG.

**Change suggested by respondent:**

This policy could be strengthened by requiring development to retain and bolster existing hedgerows and trees wherever possible.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Forestry Commission Planning Guidance Annex 1.pdf - <https://chichester.oc2.uk/a/t5r>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

The Woodland Trust objects to site allocations that include ancient and veteran trees unless adequate protection is specified. Such allocations are inconsistent with the enhanced protection afforded ancient woodland in the NPPF paragraph 180c. This site includes two notable trees, both pedunculate oaks, recorded on the Ancient Tree Inventory, Tree Id: 212591 and Tree Id: 212590. We are concerned that the policy makes no reference to irreplaceable habitats or protected trees.

**Full text:**

The Woodland Trust objects to site allocations that include ancient and veteran trees unless adequate protection is specified. Such allocations are inconsistent with the enhanced protection afforded ancient woodland in the NPPF paragraph 180c. This site includes two notable trees, both pedunculate oaks, recorded on the Ancient Tree Inventory, Tree Id: 212591 and Tree Id: 212590. We are concerned that the policy makes no reference to irreplaceable habitats or protected trees.

**Change suggested by respondent:**

We recommend adding wording:

"Deliver a measurable net gain to biodiversity in accordance with Policy NE5 (Biodiversity and Biodiversity Net Gain), and protect and enhance the setting of existing important trees and hedgerows in accordance with Policies NE8 and P5."

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Heaver Homes [7940]

**Agent:** Quod (Mr Stephen Rose, Associate) [7580]

**Summary:**

Heaver Homes recommends that draft Policy A14 be amended to include a paragraph and key diagram that identifies the former Tangmere Airfield as a broad location for future housing growth

**Full text:**

See supporting statement.

**Change suggested by respondent:**

Heaver Homes recommends that draft Policy A14 be amended to include a paragraph and key diagram that identifies the former Tangmere Airfield as a broad location for future housing growth

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** Site location plan - Former Tangmere Airfield.pdf - <https://chichester.oc2.uk/a/s4x>  
Tangmere Airfield - representations to HELAA - Sept 2018.pdf - <https://chichester.oc2.uk/a/s4j>  
Heaver Homes Former Tangmere Airfield Reps - redacted - <https://chichester.oc2.uk/a/t9h>

**Object****Document Element:** Policy A14 Land West of Tangmere**Respondent:** Ms Lindsay Davey [7844]**Summary:**

21 metre minimum separation distance as per Policy P6 would impact health and wellbeing, property value, conservation area and biodiversity.

**Full text:**

See representation

**Change suggested by respondent:**

- Reduce and or alter the housing density of the propose plan in the south/south east area of the [Tangmere] development so to enable more green space to be created.
- Shift the proposed housing in the south/south-east area further south towards the Tangmere Road and this increase the greenspace border between the housing and Saxon Meadow.

The above would all help to reduce the detrimental amenity impact and help redress the damage to outlook and views to and from Saxon Meadow residences, health and well being and sense of enclosure. It would extend and expand the greenspace/corridors around the Conservation Area this help reducing the negative effects to wildlife/biodiversity.

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified

**Attachments:** Redacted paper submission - <https://chichester.oc2.uk/a/skz>  
 P6 Amenity - redacted - <https://chichester.oc2.uk/a/szh>  
 Representation Form 4 - redacted - <https://chichester.oc2.uk/a/smx>  
 Representation Form 5 - redacted - <https://chichester.oc2.uk/a/smj>

**Object****Document Element:** Policy A14 Land West of Tangmere**Respondent:** Mr Gary Axon [8150]**Summary:**

The plan is not legally compliant because it is inconsistent with the Sustainability Appraisal and there is a failure to take sufficient account of the aim to achieve environmental objectives. Saxon Meadow is a conservation area and the plan does not protect or enhance this part of Tangmere with its rich heritage around the church and the old farm buildings which are now Saxon Meadow.

It is not sound as the size of the proposed development is not sympathetic to this conservation area and is extremely out of keeping with it. Not sufficient evidence of seeking alternative areas which will not impact on an area of such beauty and tranquility.

**Full text:**

See representation

**Change suggested by respondent:**

Move the proposed development to a a more appropriate non rural / non conservation are and designate Tangmere and Oving as part of the South Downs National Park.

**Legally compliant:** No**Sound:** No**Comply with duty:** Not specified

**Attachments:** Paper submission - redacted - <https://chichester.oc2.uk/a/skm>  
 paper submission - redacted 2 - <https://chichester.oc2.uk/a/skn>

**Object****Document Element:** Policy A14 Land West of Tangmere**Respondent:** Matthew Davies [8151]**Summary:**

Policy A14 is not sustainable development as noted in the NPPF on the basis it is not sound. I have concerns of 1,300 houses built on 73 hectares of land predominantly used for agriculture which in this present climate is extremely important. There would also be significant effect on strategic wildlife corridors especially Beckstein and barbastelle bats in the local areas and the proposed route of the cycle path would mean removing the pond and presumably the heritage trees which are used by pond life, owls and other animals.

**Full text:**

See representation

**Change suggested by respondent:**

Reduce the number of dwellings and re-route the cycle path away from the suggested route.

**Legally compliant:** Not specified**Sound:** No**Comply with duty:** Not specified

**Attachments:** Matthew Davies - redacted - <https://chichester.oc2.uk/a/skp>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** John Will [8152]

**Summary:**

The 28 residential dwellings in Saxon meadow are in the Tangmere conservation Area, created by sympathetic restoration of old agricultural buildings which is of significant heritage value, next to good agricultural land, veteran trees which are protected, mature hedgerows for many animals, and a natural watercourse accessed only by Church Lane.

The surface water at Saxon meadow has been dispersed via soakaway on the surrounding agricultural land. A new development needs to address the challenges this would cause.

**Full text:**

The 28 residential dwellings in Saxon meadow are in the Tangmere conservation Area, created by sympathetic restoration of old agricultural buildings which is of significant heritage value, next to good agricultural land, veteran trees which are protected, mature hedgerows for many animals, and a natural watercourse accessed only by Church Lane.

The surface water at Saxon meadow has been dispersed via soakaway on the surrounding agricultural land. A new development needs to address the challenges this would cause.

**Change suggested by respondent:**

The masterplan should be amended in relation to the houses proposed giving greater separation between existing buildings and saving greatly needed agricultural land.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** John Will paper submission - redacted - <https://chichester.oc2.uk/a/szr>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mr Oliver Gale [8154]

**Summary:**

The plan is not sound because it is inconsistent with protecting the setting of a Conservation Area. The development [Tangmere] will impair the views from Saxon meadow of Oving Church (see photo), Chichester Cathedral and the South Downs. There is a statutory duty under the Planning (Listed Buildings and Conservation Area) Act 1990 to preserve or enhance the character, appearance or setting of the area.

**Full text:**

See representation

**Change suggested by respondent:**

Modification of the plan to reduce the size of the development or cancel the development to maintain the existing views from Saxon Meadow

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** P11 Paper Submission - redacted - <https://chichester.oc2.uk/a/sz3>

T1 Paper submission - <https://chichester.oc2.uk/a/szv>

8.12 redacted - <https://chichester.oc2.uk/a/szb>

8.13 redacted - <https://chichester.oc2.uk/a/szc>

A14 redacted - <https://chichester.oc2.uk/a/szd>

NE5 Redacted - <https://chichester.oc2.uk/a/szw>

10.64 Redacted - <https://chichester.oc2.uk/a/szf>

A14 ORCHARD - redacted - <https://chichester.oc2.uk/a/szg>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mr Oliver Gale [8154]

**Summary:**

The plan is not legally compliant because it has not applied relevant statutory requirements relating to the compulsory purchase of Saxon Meadows orchard. A CPO should only be used as a last resort and there is not a compelling case in the public interest to acquire the proposed orchard which would act as a buffer zone for Saxon Meadow and preserve some of the outlook of the existing residents.

**Full text:**

See representation

**Change suggested by respondent:**

Modify the plan to leave the Saxon Meadow orchard out of the development.

**Legally compliant:** No

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** P11 Paper Submission - redacted - <https://chichester.oc2.uk/a/sz3>

T1 Paper submission - <https://chichester.oc2.uk/a/szv>

8.12 redacted - <https://chichester.oc2.uk/a/szb>

8.13 redacted - <https://chichester.oc2.uk/a/szc>

A14 redacted - <https://chichester.oc2.uk/a/szd>

NE5 Redacted - <https://chichester.oc2.uk/a/szw>

10.64 Redacted - <https://chichester.oc2.uk/a/szf>

A14 ORCHARD - redacted - <https://chichester.oc2.uk/a/szg>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mr Oliver Gale [8154]

**Summary:**

The plan is not sound because it is not justified in depriving the existing residents of Saxon meadow of a community amenity in the form of the community orchard. The orchard provides an essential tranquil space which is fundamental to the environment sought by many resident. The proposed community orchard (meadow) could be relocated to the designated allotments site to protect and maintain the current residents' amenity and buffer zone.

**Full text:**

See representation

**Change suggested by respondent:**

Modification of the plan to leave the orchard site (meadow) in the ownership of Saxon Meadow and locate the development community orchard with the proposed allotments.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** P11 Paper Submission - redacted - <https://chichester.oc2.uk/a/sz3>  
 T1 Paper submission - <https://chichester.oc2.uk/a/szv>  
 8.12 redacted - <https://chichester.oc2.uk/a/szb>  
 8.13 redacted - <https://chichester.oc2.uk/a/szc>  
 A14 redacted - <https://chichester.oc2.uk/a/szd>  
 NE5 Redacted - <https://chichester.oc2.uk/a/szw>  
 10.64 Redacted - <https://chichester.oc2.uk/a/szf>  
 A14 ORCHARD - redacted - <https://chichester.oc2.uk/a/szg>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mr Oliver Gale [8154]

**Summary:**

[DUPLICATION OF 5584 - NE5]

The plan is not legally compliant because it does not protect or enhance the natural environment in the proposal to include the access from Saxon Meadow to Church Lane as it does not allow a 15 metre buffer zone from veteran trees. It would also require the removal of the pond. [see attached representation].

**Full text:**

See representation

**Change suggested by respondent:**

Proposed change to modify the plan to leave the access road from Saxon meadow to Church Lane out of the plan

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** P11 Paper Submission - redacted - <https://chichester.oc2.uk/a/sz3>  
 T1 Paper submission - <https://chichester.oc2.uk/a/szv>  
 8.12 redacted - <https://chichester.oc2.uk/a/szb>  
 8.13 redacted - <https://chichester.oc2.uk/a/szc>  
 A14 redacted - <https://chichester.oc2.uk/a/szd>  
 NE5 Redacted - <https://chichester.oc2.uk/a/szw>  
 10.64 Redacted - <https://chichester.oc2.uk/a/szf>  
 A14 ORCHARD - redacted - <https://chichester.oc2.uk/a/szg>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Saxon Meadow Tangmere Ltd (Mrs Debbie Harper, Company Secretary) [8157]

**Summary:**

Object to policy A14 on the grounds that: requirement for necessary infrastructure to support large numbers of new homes is not satisfied; no policy to provide a train stop to serve Tangmere; constrained road capacity on A27; significant risks to biodiversity; removal of agricultural/ horticultural potential of land; CDC cannot demonstrate it has applied principles in Statement of Community Involvement.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Incorporate written commitment to respond positively to request to meet with Saxon Meadow Tangmere Ltd to identify common ground for Land West of Tangmere.

Amend masterplan to provide greater separation distance between existing buildings and new homes. Masterplan to exclude attempts to acquire land which provides access between Saxon Meadow and Church Lane and any part of meadow to west of garages. Community Orchard should be located next to proposed allotments. Proposed spine road should not provide direct link for cars between A27 and Tangmere Road.

Policy to make clear that Saxon Meadow is in a conservation area and preserve views to St Andrews Church from dwellings in Saxon Meadow. Developer to provide and fund upgrades to drainage, water run-off and other required infrastructure and utilities for existing dwellings at Saxon Meadow.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Saxon Meadow - redacted - <https://chichester.oc2.uk/a/sz5>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mr Roger Downham [8158]

**Summary:**

CDC would appear to be proposing 30% more homes which would compromise leaving a natural strategic gap between the current development and the village of Tangmere. Specifically, the area of Saxon meadow and the church forms a natural and historical barrier that conserves a band of bio-diverse old countryside. Without this, wildlife, ecosystems, and the identity of a village with intact historical boundaries, buildings, aesthetics and air force history would be endangered and become part of an unstoppable sprawl continuous with Chichester. This would also negatively effect the value of my property. It could also negatively impact my health due to increased air pollution, loss of exercise and recreation space and increased light pollution.

**Full text:**

See attached representations.

**Change suggested by respondent:**

No development on land owned or in current use by residents of Saxon Meadow - plot 9 and 7. Particularly the field west of Saxon Meadow. Limited development on other areas. To make it legally compliant and sound a suggestion is:

Increased level of consultation with the residents of Saxon meadow. Otherwise adequate engagement with the public is not being fulfilled.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Roger Downham redacted - <https://chichester.oc2.uk/a/sz6>

Roger Downham 2 redacted - <https://chichester.oc2.uk/a/sz7>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mr Roger Downham [8158]

**Summary:**

CDC would appear to be proposed 30% more homes which would highly strain the current infrastructure including: GP surgery and pharmacy, school, grocery shop, roads, pavements and drainage. All these are currently inadequate to deal with the proposed increase in housing. They would be strained beyond capacity. GP waiting times and staffing levels are already a problem which would deteriorate even more. An increase in traffic within the village would firstly be unmanageable due to the congestion it would cause. It would also be dangerous to health and safety of public due to narrow or in some areas no pavements, and increased pollution.

**Full text:**

See attached representations.

**Change suggested by respondent:**

Either prevention of the proposed increase in housing or adequate increase and provision for all the previously listed infrastructure would be required.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Roger Downham redacted - <https://chichester.oc2.uk/a/sz6>

Roger Downham 2 redacted - <https://chichester.oc2.uk/a/sz7>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Richard Hedgecock [8159]

**Summary:**

There is 'over development' as stated in the sustainability assessment (p90) which makes the Local Plan not legally compliant. Tangmere Parish Council has the figure of [unclear] houses in the village of Tangmere as a whole at 1156. The sheer number of proposed houses (increased to 1300) is disproportionate and excessive - it will increase the number of houses in one area by over double. This is an overdevelopment and not in keeping or sympathetic with an area which has conservation status.

**Full text:**

See attached representations

**Change suggested by respondent:**

Reduce the number of houses so that the density is significantly lowered and is not concentrated in one area to 'dwarf' existing houses at Saxon Meadow

**Legally compliant:** No

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Representation from Richard Hedgecock - redacted - <https://chichester.oc2.uk/a/sz8>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mrs Elspeth Rendall [8164]

**Summary:**

Object on grounds that planned pavilion and houses will block views to South Downs (see attached photo); alter nature of conservation area; para 10.64 inconsistent with policy P11; negative impact on tranquility and quietness currently enjoyed; doesn't comply with NE24; concerns re; parking for pavilion.

**Full text:**

The planned sports pavilion (please see attached map where it is marked with a blue star) and houses will entirely block views to the South Downs as will the proposed house building. The pavilion and houses will entirely block the view from my property that we currently enjoy of the South Downs (see attached photo of sunset view). This will entirely alter the nature of the conservation area around Saxon Meadow and the ambience around the historical saxon church of St Andrews. Paragraph 10.64 is inconsistent with Policy P11 (conservation area) in this regard. The pavilion being placed where it is and its height will impact negatively on the current tranquillity and quietness that residents currently enjoy and is not in keeping with Policy NE24 (noise pollution). Indeed the peacefulness surrounding Saxon Meadow at the moment is important for residents' mental health and anti-stress stress management. One of the reasons I moved from London was to reduce stress. This current quiet and calmness around Saxon Meadow is in keeping with the commonwealth war graves in the church yard of St Andrews church and I feel that it would be disrespectful to those laying at rest to have this tranquillity destroyed. Visitors frequently visit the graves out of respect for relatives. I am also concerned as to where all those visiting the pavilion will park.

**Change suggested by respondent:**

Pavilion should be moved to a location where there are existing parking facilities – could be moved to the lake which would be an appropriate location to encourage water sports etc. Reduce height of pavilion and reduce number of houses. Ideally do not build houses to block view and move their location to more urban rather than semirural location of this part of Tangmere. Extend South Downs National Park to take in Tangmere and Oving.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Supporting Document - <https://chichester.oc2.uk/a/szq>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mrs Elspeth Rendall [8164]

**Summary:**

Policy P11 protects views into and out of an area, in this case, the area is Saxon meadow, a designated conservation area. Plan is not legally compliant as it fails to take into account protection of existing views which include views that take in Chichester cathedral spire, Oving church spire and south downs. Sheer density, proximity and positioning of new builds will block these views so Policy P11 has not been satisfied. (see photos and diagram in attachment)

**Full text:**

Policy P11 protects views into and out of an area, in this case, the area is Saxon meadow a designated conservation area. The plan is not legally compliant as it fails to take into account properly the protection of the existing views which include views that take in Chichester cathedral spire, Oving church spire and the south downs. The sheer density, proximity and positioning of the new builds will block these views so

Policy P11 has not been satisfied. (please see photos of views of Oving church spire and south downs and the graphic diagram which shows with black arrows the views that should be protected for the plan to be fully compliant.)

**Change suggested by respondent:**

Views of Chichester cathedral spire, Oving church Spire and south downs are within conservation area and should be protected. Saxon meadow is within a conservation area, this should be extended to protect these views and the open space which surrounds them. This would make plan compliant with P11. Alternative more appropriate brownfield sites should be used rather than destroying historical views. Saxon meadow is set within a semi-rural area – maintain rural surroundings and do not build on good agricultural land. Council needs to select existing sites that are brownfield and urban -what about the city centre of Chichester – all those unused shops and buildings post covid?

**Legally compliant:** No

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Supporting Document - <https://chichester.oc2.uk/a/szp>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mrs Elspeth Rendall [8164]

**Summary:**

CPO legally flawed. Both CPOs not required for proposed building. Access to Saxon Meadow for residents and visitors unlawful and incorrect use of CPO powers. CPO for meadow to west will deprive residents of open space; unjustified "land grab". See plans and photos accompanying submission.

**Full text:**

I think that the CPO is legally flawed. My understanding is that a CPO is a last-ditch process where it is deemed to be in the public interest and is needed for the proposed building. Both CPOs (the piece of land at the entrance of Saxon Meadow) and the Meadow land (behind Saxon Meadow to the west) are NOT required for the proposed building.

In respect of the access (it is the ONLY access) to Saxon Meadow for residents and visitors I think this would be deemed unlawful and an incorrect use of the powers for which CPOs were designed. Why? Because if it were to proceed as on the plans how can denying access to residents to their own properties be deemed to be in the public interest?

The CPO in relation to the meadow (to the west) will deprive residents of an open space which is used for the residents social activities and relaxation and provides an important amenity to residents who do not have their own designated gardens. We are in the process of reintroducing our bee hives and creating a wildflower meadow to create bio diversity and a beautiful space for residents to relax and enjoy – important for their well-being and mental health.

Putting half of the meadow under a CPO is effectively a cynical and unjustified "land grab", I suspect to justify the requirement of a certain percentage of the obligatory "green space" in a building plan which is over densely populated with houses – up 30% from 1000 to 1,300 (more than double of the entire housing currently in the village of Tangmere.) This piece of land (half the meadow) is not needed for building.

Please see two plans and photos of the access and meadow (to the west).

**Change suggested by respondent:**

Access road from Church Lane into Saxon Meadow should NOT be included in planned development. Meadow should also NOT be included (or half of it) should not be included in the planned development. Neither are a pre-requisite to planned building. Neither of these two "land grabs" is legally compliant so the only way to make them legally compliant is for them not to happen and the CPOs to fall away.

**Legally compliant:** No

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Supporting Document - <https://chichester.oc2.uk/a/szy>

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mrs Elspeth Rendall [8164]

**Summary:**

Object on grounds that CPO of access to Saxon Meadow is unsound; proposed removal of mature trees and pond for cycle route/highway from entrance via Church Lane to Saxon Meadow poses threat to wildlife; potential noise and disturbance of tranquillity of area; Council has duty to protect conservation areas.

**Full text:**

The CPO of the access to Saxon Meadow is unsound and I think it is linked to the unsound proposed location of a cycle route /highway from the entrance via Church Lane to Saxon Meadow to behind no 28 Saxon Meadow which will necessitate taking out mature trees and a pond which encourages insects, birds etc. The proposed cycle path /highway will cut through Tangmere village's "historic core". You might as well rip the heart out of the village.

Currently there is a small pathway behind number 28 Saxon Meadow used by residents of Saxon Meadow and the village of Tangmere to access the fields for walking, dog walking, flying model aircraft etc. and this is in keeping with the rural tranquillity of Saxon Meadow and its recognised status as a conservation area. Whilst I appreciate that other modes of transport other than cars should be encouraged and I am all for cycles being part of this, the proposed positioning of the cycle route/highway is unsound given that it will disturb wildlife habitats, necessitate the taking down of mature trees including a willow tree and the filling up of the pond next door to the church. It will cause noise and disturb the tranquillity of the area around Saxon Meadow and the churchyard of St Andrews Saxon Church where there are important world war II graves which should be treated with the respect they are due.

I think this is one of the reasons behind a cynical land grab by virtue of a CPO which cannot be demonstrated to be in the public interest given the negative impact it will have on Tangmere's designated conservation area. The council is under a duty to protect its conservation areas.

**Change suggested by respondent:**

Proposed location of cycle path/ highway should not be where it is currently proposed but should be moved to a location outside the conservation area and the "historic core" of Tangmere village along Church Lane and Saxon Meadow. Better location would be either along Malcolm Road where there are existing village services and amenities or around the edge of Tangmere village.

The CPO of the piece of land at the entrance to Saxon Meadow should not form part of the CPO and that should fall away.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Supporting Document - <https://chichester.oc2.uk/a/szm>



## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Mrs Elspeth Rendall [8164]

**Summary:**

Object on grounds that Council has ignored and disregarded Character Appraisal for Tangmere; Commonwealth graves situated in St Andrew's Churchyard deserve to be surrounded with tranquillity and treated with respect; links with WW11, the battle of Britain and Douglas Bader should be noted; Farm land and historic views both into and out of Saxon Meadow should be protected (including views of spires of linked churches); rural nature around church lane - its wide open vistas and arable farm land should be "preserved and protected".

**Full text:**

Local authorities are required by law to preserve or enhance their Conservation Areas and part of that is to process is the production of a character appraisal to explain what is important about the area. I think that policy 11 has not been legally complied with as the council has failed in that its building plan fails to "preserve and enhance" its conservation area. In fact, far from being legally compliant, the council has ignored and disregarded the Character Appraisal carried out for it which concludes: "that the most significant features of the Tangmere Conservation Area are:

- Tranquil and rural character of the earlier historic core along Church Lane." (see relevant marked page from the Character appraisal) and extract from page 10 Tangmere Conservation Area (character appraisal and management proposals 2014)

The heritage of the "historic core" centres around the Saxon church (mentioned in the Domesday Book) and its immediate environs i.e. Saxon Meadow and the fields surrounding it and Saxon Meadow.

The commonwealth graves situated in St Andrew's Churchyard are of national importance and deserve to be surrounded with tranquillity and treated with respect. The links with WW11, the battle of Britain and Douglas Bader should be noted.

The views into and from Saxon Meadow include wide open farmland with vistas that include Oving Church Spire and Chichester Cathedral spires, as well as the South Downs. This farm land and the historic views within in both into and out of Saxon Meadow are worth saving and protecting for future generations. Indeed, the Saxon church of St Andrew's Tangmere has an historical link with St Andrew's Church, Oving which is situated along Church Lane in Oving. The fact that you can see the spire of the linked churches i.e from Oving you can see Tangmere church spire and vice versa is of import as there is an historical link between the two churches.

The rural nature of the historic tangmere around church lane, its wide open vistas and good arable farm land should be "preserved and protected" not destroyed. The plan is in total contrast this legal duty. The size, density and proximity of the buildings in a rural setting is unsympathetic and will destroy what I would have thought a conservation area was established to preserve.

For the reasons above the plan is also unsound.

See extracts and photos

**Change suggested by respondent:**

Move away from conservation area otherwise Council will be acting unlawfully. To protect and preserve the views, farmland and rural nature of historic Tangmere, the

conservation area needs to be extended to incorporate Tangmere and Oving.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Supporting Document - <https://chichester.oc2.uk/a/szn>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** Countryside Properties [7291]

**Agent:** Turley (Mr Ryan Johnson, Director) [7887]

**Summary:**

Support re-allocation under policy A14. Confirm site remains suitable for mixed-use, no known overriding constraints to delivery. Further evidence in support can be found under 20/02893/OUT. Criterion 2 - would welcome agreement over specific type/amount of accommodation required. Would welcome confirmation that specialist needs required will be limited to C3. Criterion 3 - wording 'transforming the existing village centre into a new local centre' does not take into account outcome of engagement, consultation, and outline permission. Recommend cross checks undertaken prior to formal submission to ensure black line extent of site on Map 10.8 aligns with that progressing towards grant of permission.

**Full text:**

See attachment.

**Change suggested by respondent:**

Recommend criterion 2 is amended to:

'A range of types, sizes and tenures of residential accommodation to include specific provision to meet specialised housing needs within Use Class C3, including accommodation for older people.'

Suggest criterion 3 is revised to 'expanding and enhancing the existing local centre'.

Suggest reference in criterion 10 to conserving or enhancing the WWII airfield should be deleted. In addition, reference to relocation of allotment space is addressed in criterion 5, so could be deleted at 10 to avoid duplication.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/smp>

## Object

**Document Element:** Policy A14 Land West of Tangmere

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

This is a large development expanding the village into the size of a small town, quite a distance from railways stations.

To prevent Tangmere being dominated by cars and the damage that will do to Chichester District Council declared Climate Emergency it is critical Tangmere is provided with all the amenities and employment opportunities needed to minimise the need for travel outside the community and that high frequency reliable affordable bus services are provided to Chichester city centre, Chichester and Barnham railway stations and other areas of employment, leisure, business and communities.

8 and 9 The expansion of Tangmere must be designed as an integrated community with access provided within the development so that there is minimal need for car use, therefore replace the Development will be required to provide or fund mitigation for off-site traffic impacts with. "The Development will be required to provide of fund access to all the residents need by providing continuous, direct, safe, attractive, comfortable walking and cycle route within Tangmere and direct to Chichester City Centre, Chichester and Barnham railway stations and neighbouring communities. The development will also be required to provide or fund high frequency, reliable bus services, if necessary, including dedicated bus lanes and bus priority direct to Chichester city centre, Chichester and Barnham railway stations and neighbouring communities.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Loxwood, 10.66

**Respondent:** Mr Tim Swann [7917]

**Summary:**

The bus service is not worth of note -it goes 2days a week and doesn't give you time to do anything at the final destination.

The plan notes the issues of the A27 however does not considered the impact on the the A281 whihc is the main route to employment in Guildford/London which has the added pressure of the development of Dunsfold which will be over 10000 dwellings.

**Full text:**

The bus service is not worth of note -it goes 2days a week and doesn't give you time to do anything at the final destination.

The plan notes the issues of the A27 however does not considered the impact on the the A281 whihc is the main route to employment in Guildford/London which has the added pressure of the development of Dunsfold which will be over 10000 dwellings.

**Change suggested by respondent:**

The plan need to recognize there is no viable bus service and people will use cars on roads which are under pressure from other developments so until there is a viable public transport system the area needs to remain as rural development with a low level of growth.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Loxwood, 10.66

**Respondent:** Mr Antony Loader [5185]

**Summary:**

The plan does not comply with all relevant requirements of the Planning & compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended. It doesn't meet the CDC's Sustainability Appraisal Report when judged against other reasonable options due to both the lack of infrastructure (Extremely limited bus service and Loxwod no longer meets the criteria of a service village as it has no shop) and lack of sustainability. It also fails to meet environmental requirements. There are numerous other points but can't be made in 100 words!

**Full text:**

The plan does not comply with all relevant requirements of the Planning & compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended. It doesn't meet the CDC's Sustainability Appraisal Report when judged against other reasonable options due to both the lack of infrastructure (Extremely limited bus service and Loxwod no longer meets the criteria of a service village as it has no shop) and lack of sustainability. It also fails to meet environmental requirements. There are numerous other points but can't be made in 100 words!

**Change suggested by respondent:**

The number of 220 additional new houses allocated to Loxwood should be removed from the plan and the the figure previously allocated with sites democratically chosen by residents remaining. Loxwood should not be described as a Service Village due to the lack of village shop and extremely limited public transport.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Objections.docx - <https://chichester.oc2.uk/a/s6j>

## Object

**Document Element:** Loxwood, 10.67

**Respondent:** Mr Tim Swann [7917]

**Summary:**

The Village already has a new neighbourhood plan which has been ignored due to water neutrality issues.

**Full text:**

The Village already has a new neighbourhood plan which has been ignored due to water neutrality issues.

**Change suggested by respondent:**

The most recent neighbourhood plan to be reviewed and incorporated into the local plan.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Loxwood Society (Mr Tony Colling, CO Chair) [1127]

**Summary:**

LPC have produced a revised NP with allocated 125 houses in accordance with CDC Preferred approach Local Plan. Submitted to CDC for regulation 14 consultation in Jan 2021. Held due to Water Neutrality. Letter to parish Jan 2022. 5 growth scenarios. Study completion easter 2022 with consultation. Did not happen.

Actual housing numbers  $220 + 91 = 311$  due cut off date of 1/4/21 and unmet allocation in Made NP.

Parish is rural, very poor transport provision and major sewerage issues. Southern Water will not allow any new connections. Loxwood has no post office and shop thus not a Service village.

**Full text:**

Policy A15 is not Sound.

The Preferred Approach Local Plan allocated 125 houses in Loxwood. Loxwood Parish Council (LPC) produced a Revised Neighbourhood Plan (NP) based on this allocation. It was Submitted to CDC in December 2021 for Regulation 14 consultation. CDC would not allow NP to proceed due to the Water Neutrality issues.

No consultation or feedback received until the letter to northern parishes dated January 2022 laying out 5 growth scenarios. Results on study promised for easter 2022 together with consultation. This did not happen!

In January 2023, LPC told by CDC via Zoom meeting that Loxwood would be a strategic site with an allocation of 220 houses with a cut-off date of April 2021 for planning consents. Taking into account planning applications granted prior to this date plus unmet allocation in Made NP, actual number of houses is  $220 + 91 = 311$  houses.

Loxwood is a rural parish with very poor public transport infrastructure, major sewerage infrastructure issues. Southern Water will not allow any new connections until network upgraded. This will take at least 5 to 10 years (southern Water estimate).

Loxwood does not have a post office and shop. Closed September 2022 and thus does not meet CDC definition of Service Village

The Sustainability Appraisal with respect to Loxwood and the allocation of 220 plus houses is weak and does not adequately justify the allocation. It does not address the transport and environmental issues and in fact, any number of houses could be plucked from the narrative.

**Change suggested by respondent:**

Policy A15 should be scrapped and Policies H2 and H3 amended to reflect an allocation of 125 houses

The most efficient way forward would be for the housing allocation for Loxwood to be changed back to the Preferred Approach Local Plan allocation of 125 houses and let the Loxwood Neighbourhood Plan proceed to the next stage of the process. A difference of 94 houses between the two allocations will not make much difference to the overall housing allocation for the district.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** regulation\_14\_standard\_post\_consultation\_v6\_3rd\_december\_2020.pdf - <https://chichester.oc2.uk/a/qk>

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mrs Deborah Speirs [7843]

**Summary:**

Consider the amount of houses allocated to Loxwood is made on an unsound basis. The bus service is extremely limited and not suitable for seeking or maintaining employment without a car. The sewage infrastructure is beyond breaking point and new developments are already having to use temporary inadequate solutions. The environmental constraints have worsened since last assessed and doubling the size of Loxwood with new houses wont deliver biodiversity net gain. The issue of water neutrality has not been resolved. There is no shop and the village infrastructure is under huge pressure.

**Full text:**

Consider the amount of houses allocated to Loxwood is made on an unsound basis. The bus service is extremely limited and not suitable for seeking or maintaining employment without a car. The sewage infrastructure is beyond breaking point and new developments are already having to use temporary inadequate solutions. The environmental constraints have worsened since last assessed and doubling the size of Loxwood with new houses wont deliver biodiversity net gain. The issue of water neutrality has not been resolved. There is no shop and the village infrastructure is under huge pressure.

**Change suggested by respondent:**

Remove Loxwood from Strategic Location status. Respect the agreed Loxwood Local Plan which identified through local consultation and referendum the extra houses the village could sustain.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr James Jewell [6721]

**Summary:**

A policy to mitigate the adverse consequences in Loxwood of failing to provide a commutable bus service whilst still building additional housing leads to attempting to control the car when it is the only means of transport available to residents. The substantial developments planned by Waverley will seriously congest the A281 and the junction with it at Alfold for Loxwood residents for whom this is the main transport link for employment shopping and leisure.

**Full text:**

I recognise the predominant concerns regarding the A27 and urban areas and that mine is a local focus on the North and particularly Loxwood. Travel from this village is primarily towards and through Waverley District for employment, shopping and leisure and access to the A281 is crucial. Waverley has extensive housing development planned that will add significantly to traffic on the A281 with increased difficulty of access to it and longer travel times along it. If a daily commutable bus service does not exist then policies to manage, ie discourage, car use are seriously disadvantageous to a population dependent on it. To permit the planned additional housing without recognising this issue is a nonsense. To require a significant proportion of those to be social housing is also ridiculous as these occupants will be leased able to afford cars. Social Housing also reduces the CIL contribution which in the circumstances is sorely needed to help cope with issues like these. If the new houses are to the south of this village they will add substantially to the traffic flow through the high street.

**Change suggested by respondent:**

To make any additional housing in Loxwood conditional on a commutable bus service.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Loxwood Parish Council (Ms Jane Bromley, Clerk) [7872]

**Summary:**

At Examination the 220 allocation should be looked at in detail and the Inspector should be satisfied that the allocation is sustainable due to not only water neutrality constraints but also lack of capacity in the sewerage infrastructure within the Parish and surrounding area. Inundation of the system releases sewerage into gardens. The speculative development which has arisen uses a cesspit solution for the removal of sewerage from new homes. The traffic to be generated feeding onto the B2133 running through the village is a concern for a road which is already dangerous for pedestrians walking on narrow pavements.

LPC have already produced a Revised Neighbourhood Plan which allocates 126 houses plus 17 carried forward from the Made Neighbourhood Plan giving 143 houses. It has reached Regulation 14 consultation stage and is based upon the Preferred Approach Local Plan consultation. The residents of the Parish and Loxwood Parish Council have satisfied themselves through evidence gathered that 126 homes is a sustainable allocation given the constraints that exist.

This approach will conserve all the hard work put in by Loxwood Parish Council in producing its Revised Neighbourhood Plan and restore the confidence that Loxwood residents have in the Neighbourhood Planning Process.

**Full text:**

Loxwood Parish Council has a number of concerns regarding Policy A15 of the emerging CDC Local Plan.

Loxwood Parish Council was advised of an estimated housing allocation of 125 homes in 2021 upon which it based a Revised Neighbourhood Plan which has been consulted upon at Regulation 14. This consultation gave rise to a submission plan which was submitted to CDC at Regulation 15. The revised Neighbourhood Plan did not proceed beyond Regulation 15 to Regulation 16 as housing numbers could not be confirmed at that time by CDC due to the water neutrality issue.

CDC sent a letter to the north eastern parishes dated January 2022 laying out 5 scenarios for growth to be tested and evidence gathered. The results although promised for easter 2022 were not forthcoming until January 2023 due to the problem of establishing a mitigation strategy for water neutrality.

The mitigation strategy for water neutrality relies heavily on investment by southern water. Southern water in the past have neglected infrastructure in the district and have not set aside capital provision for such investment in their current 5- year infrastructure plan. They have accepted the mitigation strategy but Parishes have little confidence in delivery.

Loxwood Parish Council was surprised to be informed that the allocation of housing to their parish in the light of this water shortage for the area, was an additional 95 homes from what was envisaged before the realisation of the water neutrality issue. In addition, on top of the 220 homes to be found before 1st April 2021 but outside of the Made Neighbourhood Plan due to a lack of five- year housing supply within the district.

Loxwood Parish Council ask that at Examination the 220 allocation be looked at in great detail for sustainability and that the Inspector satisfies him or herself that the allocation is sustainable due to not only the water neutrality constraints but also due to the lack of sewerage infrastructure that exists within the Parish and surrounding neighbours. Frequent inundation of the system releases sewerage into gardens. The speculative development which has arisen recently has returned to a cesspit solution for the removal of sewerage from these new homes. These developments have been unable to connect to the sewerage system over lack of capacity. Unbelievably Southern water have no plans for an upgrade of the system in the near future despite this archaic situation.

**Change suggested by respondent:**

Policy A15 should be removed and Policies H2 and H3 amended to reflect an allocation of 125 houses

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr & Mrs William and Susan Cantello [7885]

**Summary:**

Objection against development in Loxwood. Reasons including:  
 - lack of consideration of impact of development in village in neighbouring district (Dunsfold);  
 - lack of existing infrastructure - shops and amenities;  
 - lack of public transport, dependency on cars;  
 - lack of capacity within education facilities;  
 - limitation of utilities infrastructure;  
 - environmental impact

**Full text:**

Re. Proposed Forward Plan 2021 to 2039 effect on Loxwood.

Loxwood has had a lot of development over the past decade and with that has come a LOSS OF AMENITIES no GAIN. After all this development which is still ongoing there must be a period of time left before further development and it seems reasonable that Planners should give an approximate time plan for any future release of permission. I believe little if any attention has been given to the fact that Loxwood is on the border with Surrey and the very large development at DUNSFOLD has COMMENCED. Development on villages bordering other Counties MUST BE CONSIDERED as it effects infrastructure, particularly roads, drainage and services.

The proposal goes against many of the National Guidance considerations in that there is extremely little local industry, so the vast majority of new residents will need to travel by car to work and leisure. Piecemeal development of local Villages is an opt-out of providing enhanced facilities for existing residents as well as new residents as has been seen over the past decades. Planning for the future needs to be bold and select a place for a new small town or a big development to an existing village as this then provides finance to assist with the improvement of roads, infrastructure, Schools, services and amenities for existing residents and future residents. It also means many lovely small villages remain without any big development in the near future.

Now coming specifically to Loxwood, which has had piecemeal development has:- LOST ITS GENERAL STORE, LOST ITS POST OFFICE, NO FACILITY TO DRAW CASH, NO CAFE, and NO PHARMACY (except for prescriptions). PUBLIC TRANSPORT is almost non existent and could easily be lost totally (one bus per day to Billingshurst and one to Guildford).

SHOPPING the nearest towns are Horsham and Guildford. Billingshurst has very limited facilities. Therefore Residents are dependant on a Car for Business and Leisure.

TEENAGERS - NO FACILITIES AT ALL.

EDUCATION- Primary School is over grounded and lacks any further adjacent space to expand. Secondary School is in Billingshurst and really that is at capacity and lacks any adjacent space to expand.

Whilst Loxwood has a VILLAGE HALL AND ADJACENT PLAYGROUND this is NOT CENTRAL and it fronts the very busy road through the village which only has very narrow pavements. NOT IDEAL for walking to for younger children at all.

In the plan it seems very little consideration, if any, has been given to Infrastructure Like many Villages, water (supply, use and deposal) and electricity need to be considered very carefully as majority of housing depends on OIL for heating. Lastly but certainly very important is limiting environmental damage to this area of Northern Villages.

Piecemeal development as in the past is NO SOLUTION.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/ss5>

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr Stephen Jupp [227]

**Summary:**

Not a sustainable location for such a substantial amount of housing when it is clear that just about everyone with out migrate for work and secondary schools and college

**Full text:**

Not a sustainable location for such a substantial amount of housing when it is clear that just about everyone with out migrate for work and secondary schools and college

**Change suggested by respondent:**

remove Loxwood as a strategic location

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object**

**Document Element:** Policy A15 Loxwood

**Respondent:** Mrs Charlotte Smith [7881]

**Summary:**

I object to 220 new houses to be built in Loxwood. It does not take into account the number of houses that have already been given planning permission. So it will be more than 220 and this Plan is not being honest. There will be too many houses that will be built on green fields. They will totally overwhelm the village which has a very limited bus service and no amenities. What about the Crouchlands development? No mention of the 600 houses and new primary school which is only a short distance from Loxwood

**Full text:**

I object to 220 new houses to be built in Loxwood. It does not take into account the number of houses that have already been given planning permission. So it will be more than 220 and this Plan is not being honest. There will be too many houses that will be built on green fields. They will totally overwhelm the village which has a very limited bus service and no amenities. What about the Crouchlands development? No mention of the 600 houses and new primary school which is only a short distance from Loxwood.

**Change suggested by respondent:**

I think brown field sites should be found. Development should take place on the outskirts of larger settlements not in small villages that do not have the infrastructure and capacity to cope. North of Chichester council is being unfairly targeted. You have to take into account the problem of sewage disposal and the impact of water usage which will damage the RSPB nature reserves and the rivers. Therefore south of the A27 would be the obvious choice for development/re-development

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

**Object**

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr David Amey [7898]

**Summary:**

We are on a junction of two B-roads, not big enough for big housing development  
The school is full, with a waiting list and no room to expand  
Loxwood floods badly  
The sewers are too small to cope with the village as it now is  
Fresh water supplies are stretched to the maximum as it now is  
Water neutrality is an ongoing issue in Loxwood  
There is no gas  
There is no shop  
There is no public transport  
We are car-dependent and building 220 new homes would bring huge air and traffic pollution

**Full text:**

We are on a junction of two B-roads, not big enough for big housing development  
The school is full, with a waiting list and no room to expand  
Loxwood floods badly  
The sewers are too small to cope with the village as it now is  
Fresh water supplies are stretched to the maximum as it now is  
Water neutrality is an ongoing issue in Loxwood  
There is no gas  
There is no shop  
There is no public transport  
We are car-dependent and building 220 new homes would bring huge air and traffic pollution

**Change suggested by respondent:**

It would be better to build near to major roads. Our little B roads are not suitable and it would render the current village unsafe to add more new traffic, with cars, delivery vans and supply vehicles.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mrs ALISON REDFORD [7803]

**Summary:**

Shop and post office closed in September 2022 we have been promised a new shop at Nursery Green but still no sign?  
Surgery frequently struggling for staff and very difficult to get appointments.  
School is at capacity.  
Sewage, water issues still not resolved.  
Current bus timetable inadequate despite a lot of new developments in recent years.  
I do not believe there is a further housing need in Loxwood & there is very little employment.  
2021 census shows Loxwood had a population of 1597.  
Are we still a village or is CDC making us into a town?

**Full text:**

Shop and post office closed in September 2022 we have been promised a new shop at Nursery Green but still no sign?  
Surgery frequently struggling for staff and very difficult to get appointments.  
School is at capacity.  
Sewage, water issues still not resolved.  
Current bus timetable inadequate despite a lot of new developments in recent years.  
I do not believe there is a further housing need in Loxwood & there is very little employment.  
2021 census shows Loxwood had a population of 1597.  
Are we still a village or is CDC making us into a town?

**Change suggested by respondent:**

All of this part of the plan needs to be changed to consider reducing the allocation of dwellings. It should be noted that despite the recent developments here in recent years, the infrastructure and water/drainage issues have not been resolved or improved. In deed one new development is now having a cesspit emptied daily. CDC must realise that Loxwood does not have the infrastructure in place for mass development and should not be considered as a service village.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr Howard Barnes [6788]

**Summary:**

Loxwood has no adequate sewerage to satisfy current housing  
Medical centre is full  
NO buses  
No employment  
Neighbour has been waiting 9 months for school place  
Your plan will increase the number of NEW houses by 400+ in effect an extra 50% over 10 years

**Full text:**

Loxwood has no adequate sewerage to satisfy current housing  
Medical centre is full  
NO buses  
No employment  
Neighbour has been waiting 9 months for school place  
Your plan will increase the number of NEW houses by 400+ in effect an extra 50% over 10 years

**Change suggested by respondent:**

No more houses to be built until Southern Water can supply and instal a fit for purpose sewerage system  
We already have a BP for 125 houses which should be the limit  
No new houses until additional school places can be provided

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mrs Sarah Lane [5186]**Summary:**

The level of 220 houses was announced with no consultation as required. The latest Neighbourhood Plan took a huge amount of work and allocated 125 houses. Since then more have been granted planning permission. Loxwood has no real alternative to cars for transportation. It has no village shop or post office and limited employment: issues with water supply and the disposal of waste water and sewage. As a rural village 220 houses would represent a 50% + increase which cannot fail to change the nature of the village. This allocation appears disproportionate when compared with other areas with better facilities.

Loxwood Parish Council have already produced a Revised Neighbourhood Plan which allocates 126 houses plus 17 carried forward from the Made Neighbourhood Plan giving 143 houses. It has reached Regulation 14 consultation stage and is based upon the Preferred Approach Local Plan consultation. The residents of the Parish and Loxwood Parish Council have satisfied themselves through evidence gathered that 126 homes is a sustainable allocation given the constraints that exist.

**Full text:**

The level of 220 houses was announced with no consultation as required. The latest Neighbourhood Plan took a huge amount of work and allocated 125 houses. Since then more have been granted planning permission. Loxwood has no real alternative to cars for transportation. It has no village shop or post office and limited employment: issues with water supply and the disposal of waste water and sewage. As a rural village 220 houses would represent a 50% + increase which cannot fail to change the nature of the village. This allocation appears disproportionate when compared with other areas with better facilities.

**Change suggested by respondent:**

Policy A15 should be removed and Policies H2 and H3 amended to reflect an allocation of 125 houses

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy A15 Loxwood**Respondent:** Loxwood (Mellow) Ltd [7870]**Agent:** Ms Megan Smith [7858]**Summary:**

As has been discussed across these Draft Local Plan Representations, we support the proposed growth of Loxwood. However, we wish to object to Policy A15, highlighting that the proposed figure of 220 dwellings will not sufficiently meet the objectively assessed need for housing within the Chichester District.

This figure should be increased to allow greater housing provision in the North of the Plan Area. In line with our comments on Policy H1 – Meeting Housing Needs, we propose a greater allocation of dwellings to the sustainable settlement of Loxwood, with a minimum of 300 dwellings, based on the findings of the Sustainability Appraisal (Jan 2023).

**Full text:**

Please refer to attached supporting document. Policy A15 is discussed on page 14.

**Change suggested by respondent:**

-

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** 7093 - PL-15A - Location Plan.pdf - <https://chichester.oc2.uk/a/srx>  
Written representation letter - <https://chichester.oc2.uk/a/s3p>**Object****Document Element:** Policy A15 Loxwood**Respondent:** Artemis Land and Agriculture Limited [7943]**Agent:** Mr Jack Allenby [7942]**Summary:**

Policy is unsound due to there being evidence (set out in the Council's own evidence base and within this representation) demonstrating that additional housing could be delivered in the North of the Plan Area to meet future needs, particularly in the parish of Plaistow and Ifold at Crouchlands Farm.

Furthermore, policy is unsound as not justified or effective, but overly reliant on the delivery of additional homes in the North of the Plan Area on sites allocated in neighbourhood plans for the respective parishes when there is no evidence to demonstrate that any sites are likely to be allocated, nor even that neighbourhood plans will be prepared by each of the parishes in the plan period.

**Full text:**

A. SUMMARY AND CONCLUSION

1. The Council's emerging Local Plan is unsound as:

- proposed Policy S1, Spatial Development Strategy (Appendix LPD1, page 38-39), focuses most future growth in the south of Chichester district in an area that is highly constrained in planning terms, with only a moderate amount of growth proposed in the North of the Plan Area which is objectively and comparatively less-constrained;

- proposed Policy H1, Meeting Housing Needs (Appendix LPD1, page 100), sets out a total housing supply of 10,359 homes for the plan period of 1 April 2021 to 31 March 2039, equivalent to 575 homes per year (an already capped figure due to highway constraints in the south). This is a shortfall of 1,134 homes for the plan period, or 63 homes per year, against the Council's minimum local housing need as calculated by the Government's standard housing method and set out in the Council's Housing and Economic Development Needs Assessment (Appendix LPD2, page 42);

- the Council proposes a similar spatial strategy and shortfall in supply of housing against its full housing need to that for the previous (adopted) Local



Plan (Appendix LPD3, pages 40 – 41, and 49). This has resulted in the Council being unable to demonstrate a five year housing land supply and manage proposals for speculative development, reflected in some 87% of new housing coming from windfall sites (Appendix LPD4, page 12), so is proven to be unsound;

- despite the historic and proposed shortfall in its housing supply, the Council presents insufficient evidence to demonstrate that the impacts of meeting more of the local housing need would significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework (2021), taken as a whole;

- the Council's Sustainability Appraisal (Appendix LPD5, page 26) assesses growth scenarios in the North of the Plan Area. A growth scenario including Crouchlands Farm for 1,114 homes (or 62 per year) is found to be most sustainable (Appendix LPD5, page 34) but is discounted without clear and robust reasoning, and a blended growth scenario for 720 homes (or 40 per year) is proposed in the Local Plan (Appendix LPD5, page 40). It is wholly unclear how the Council has arrived at its decision;

- the Water Neutrality Mitigation Strategy (Appendix LPD6, page VI) and Emerging policy NE17 (Appendix LPD1, page 89) allows for 1,796 homes in the North of the Plan Area, of which scenarios 1a and 2a, including Crouchlands Farm, are less than. Water Neutrality is therefore not a constraint when considering a higher level of development in the North of the Plan Area; and

- Crouchlands Farm was also assessed in the Council's Housing and Economic Land Availability Assessment (Appendix LPD7, page 134) as being suitable, achievable and available for rural enterprise-led development / residential mix of up to 600 homes (HELAA ID HPI009).

2. The emerging Local Plan, therefore, is unsound due to it not being positively prepared by the Council in proposing a shortfall of housing supply against its minimum local housing need, where there are no exceptional circumstances to justify this, as well as there being evidence to support additional sites for housing, including at Crouchlands Farm. There is no coherent basis for the Council not taking forward Crouchlands Farm to increase future housing supply given the shortfall.

3. As a result, the Council should be asked to allocate more sites to help bridge the gap in the extent of its housing shortfall and Crouchlands Farm should be considered the obvious first choice given the deliverability of Rickman's Green Village, as demonstrated by the Council's evidence base (Appendix LPD5, page 34, and Appendix LPD7, page 134).

4. In addition, a wealth of technical work has been undertaken to prepare and submit three planning applications for Rickman's Green Village (Chichester District Council reference 22/01735/FULEIA, 22/03114/FULEIA, and 22/03131/OUTEIA) that are currently awaiting determination. These applications further demonstrate the suitability of Crouchlands Farm as a highly sustainable site, capable of delivering up to 600 homes alongside a primary school (or other suitable community facility), village hub with farm shop, cookery school, glamping and retail and commercial units, and open space provision, such that it should be allocated in the emerging Local Plan.

5. Artemis, or a representative thereof, therefore wishes to participate in the future hearing sessions for the emerging Local Plan. It is considered that as Crouchlands Farm is the only specific alternative considered in the Sustainability Appraisal, it merits its own hearing session.

## B. EMERGING LOCAL PLAN ANALYSIS

### Introduction

6. This representation has been prepared by DLBP Ltd, on behalf of Artemis Land and Agriculture Limited ("Artemis"), to object to the soundness of the Chichester Local Plan 2021-2039: Proposed Submission ("the emerging Local Plan") prepared by Chichester District Council ("the Council") for public consultation between 3 February to 17 March 2023 under Regulation 19 of the of the Town and Country Planning (Local Planning) (England) Regulations 2012.

7. Artemis is the owner and operator of Crouchlands Farm, Rickman's Lane, Plaistow, Billingshurst, West Sussex RH14 0LE, a 197 hectare livestock farm in the north of Chichester district partly proposed as the site of a new settlement, known as Rickman's Green Village.

8. The representation is based on the adopted National Planning Policy Framework (2021). There is a draft version currently being consulted on, but even if approved as drafted, it will not apply to a Local Plan that has reached Regulation 19 at this point. Therefore, the draft policies are not referred to.

9. In the interests of conciseness, the appendices list is not exhaustive. For example, only a selection of the planning applications documents, or executive summaries of these, have been included. The planning applications are available on Chichester District Council's website (planning refs 22/01735/FULEIA, PS/22/03114/FULEIA and 22/03131/OUTEIA), or a full suite of documents can be provided upon request.

### Spatial Strategy

10. Proposed Policy S1, Spatial Development Strategy (Appendix LPD1, page 38 – 39), is unsound.

11. Proposed Policy S1 builds on the spatial strategy of the previous (adopted) Local Plan (Appendix LPD3, page 40 – 41) by focusing growth in the south of the District on sites in and around Chichester city, and the east-west corridor. The south of the district, however, is known to be highly constrained in planning-terms. Key constraints identified by the Council are the (lack of) capacity of the A27, flood risk, and the need to protect environmental designations, landscape quality, the historic environment and settlement character (Appendix LPD1, paragraph 3.5).

12. Due to the constraints in the south, in particular capacity issues of the A27, the Council proposes a moderate level of growth in the North of the Plan Area.

13. Previous advice from the Planning Inspectorate (Appendix LPD8, page 4) concluded that the Council should reassess its adopted spatial strategy and distribution of development in other parts of the District to establish whether the housing need could be met in another way. The emerging Local Plan, however, does not reassess the distribution of development sufficiently.

14. Proposed Policy S1 is unsound as the Council's evidence base demonstrates that additional housing could be delivered in the comparatively less-constrained North of the Plan Area, including at Crouchlands Farm, so the proposed policy is not positively prepared, and nor is it appropriately justified. This is expanded upon further below.

### North of the Plan Area

15. Proposed Policies A15, Loxwood (Appendix LPD1, page 260) and H3, Non-Strategic Parish Housing Requirements 2021 – 2039 (Appendix LPD1, page 103) are also unsound.

16. The emerging Local Plan proposes one allocation for housing in the North of the Plan Area, Policy A15, Loxwood, for a minimum of 220 homes to come forward over the plan period, all through the neighbourhood plan process.

17. Proposed Policy H3 sets out non-strategic targets for 25 new homes to be delivered over the plan period in Plaistow and Ifold Parish, 50 in Kirdford Parish, and 75 in Wisborough Green, all through neighbourhood plans (of which Plaistow and Ifold does not even have a draft Neighbourhood Plan) or subsequent development plans (which have not even begun preparation yet).

18. It is clear, when looking at the District's population data alone that the North of the Plan area should, proportionately, take on more housing. This is because:

- the population for the entire District (excluding the South Downs National Park area) is 89,982, which comprises 8,396 in the North of the Plan Area and 81,586 in the remaining south of the District;
- the emerging Local Plan proposes 10,359 homes over the Plan period, comprising 370 in the North of the Plan Area and 9,989 in the remaining south of the District;
- if the proposed housing was to be distributed evenly across the District, one home should be allocated per 11.5 people. An even distribution would therefore result in 966 homes in the North of the Plan Area;
- however, the Local Plan only proposes 370 homes in the North of the Plan Area. This is a shortfall of 596 homes against what should be provided (966 homes) if it were to be evenly distributed, which equates to a 161% shortfall.

19. Proposed Policies S1, H3 and A15 should be found unsound due to there being evidence (set out in the Council's own evidence base and within this representation) demonstrating that additional housing could be delivered in the North of the Plan Area to meet future needs, particularly in the parish of Plaistow and Ifold at Crouchlands Farm.

20. Furthermore, proposed Policies S1, H3 and A15 are unsound as they are not justified or effective, but are overly reliant on the delivery of additional homes in the North of the Plan Area on sites allocated in neighbourhood plans for the respective parishes when there is no evidence to demonstrate that any sites are likely to be allocated, nor even that neighbourhood plans will be prepared by each of the parishes in the plan period. For example, proposed Policy H3 seeks to deliver 25 new homes in Plaistow and Ifold parish, however work to prepare its neighbourhood plan has ceased indefinitely.

#### Sustainability Appraisal

21. The Council's Sustainability Appraisal (Appendix LPD5, page 34) considered the following six growth scenarios to determine the number of homes to be delivered across the four parishes (Kirdford, Loxwood, Plaistow and Ifold, Wisborough Green) in the North of the Plan Area:

- i) 1, lower growth of only the four parishes providing 514 homes (29 homes per year);
- ii) 1a, lower growth of the four parishes plus Crouchlands Farm, providing 1,114 homes (62 homes per year);
- iii) 2, higher growth of only the four parishes, providing 1,139 homes (63 homes per year);
- iv) 2a, higher growth of the four parishes plus Crouchlands Farm, providing 1,514 homes (84 homes per year);
- v) 3, highest growth of only the four parishes, providing 1,964 homes (109 homes per year); and
- vi) 3a, highest growth of the four parishes plus Crouchlands Farm, providing 2,564 homes (143 homes per year).

22. The Council's Sustainability Appraisal concluded that the Council is supportive of a blend of Scenarios 1 and 2 (Appendix LPD5, page 40).

23. To reflect this, proposed Policy H3 Non-Strategic Parish Housing Requirements 2021 – 2039 (Appendix LPD1, page 103) therefore seeks:

- i) lower growth at Kirdford (50 homes) and Plaistow and Ifold (25 homes) on unallocated sites; and
- ii) higher growth at Loxwood and Wisborough Green through a combination of one allocated site for 220 homes (proposed Policy A15) and other unallocated sites (75 homes).

24. However, Figure 1 of the Council's Sustainability Appraisal (Appendix LPD5, page 34), above, very clearly shows that scenario 1a (lower growth of only the four parishes plus Crouchlands Farm) scores the best overall i.e., is the most sustainable option. This is due to scenario 1a scoring highest in regard to the site's accessibility, communities and health, lack of heritage constraints relative to the other scenarios, as well as lack of landscape constraints relative to the other scenarios.

25. With regards to the analysis of the remaining criteria:

- Air Quality and Environmental Quality; Biodiversity; Land, Soils and Resources – whilst we appreciate the information may not be available for the 'other areas' accounted for in each growth scenario, the scoring does not reflect the information within the three planning applications at Crouchlands Farm (e.g. Ecological Impact Assessments (Appendices RGV17 and RGV18), Air Quality Assessments (Appendix RGV8 – RGV10), Environmental Impact Assessments (Appendices RGV21 and RGV22), Agricultural Land Classification Assessment (Appendix RGV7), Land Quality Assessments (Appendices RGV26 and RGV27, etc));
- Housing – the scoring for this category is inconsistent with the other criterion, as it does not exclude option 3a from the ranking. For example, Scenario 1a should therefore score 4, rather than 5, if based purely on the quantity of homes. But page 4 of the Sustainability Appraisal (Appendix LPD5) confirms that the objective is to (our emphasis): "deliver suitable, well designed, energy efficient and affordable housing to meet local needs, in safe and accessible neighbourhoods with mixed and balanced communities". In the absence of supporting evidence on the qualitative elements of this objective, other than at Crouchlands Farm, the method of scoring this criteria is unsound as it does not meet the full objective. When considering the high-quality design of homes at Crouchlands, it is clear that scenarios 1a and 2a should in fact score higher; and
- Economy, employment – the Sustainability Assessment fails to acknowledge the economic benefits proposed at Crouchlands Farm, which will have a significant economic benefit for Chichester District Council and the wider area. This is demonstrated in the Economic Impact Assessment submitted with planning application (Appendix RGV19). A second Economic and Social Value Impact Assessment as also been submitted which considers the scenarios of the whole of the proposal (Appendix RGV20), but we wholly appreciate that the Council did not have access to this at the time of preparing the Sustainability Appraisal.

26. There is a clear disconnect between the scoring of the scenarios, how each scenario and Crouchlands Farm has been assessed by the plan-maker, and how the conclusion to proceed with a blend of scenarios 1 and 2 has been made. Page 34 of the Sustainability Appraisal (Appendix LPD5) clearly states that it "is undertaken without any assumptions regarding the degree of importance, or 'weight', that should be assigned to each of the topics in the 'planning balance'. It is only the Council, as the decision-making authority, that is in a position to arrive at an overall conclusion on the best performing growth scenario on balance". One must therefore assume that the Council has assigned more importance and weight to certain criteria of the scoring. But there is a clear lack of explanation of this weighting exercise, so the results of the testing is not justified.

27. The Council's reasoning for supporting a blend of scenarios 1 and 2 at section 7.3 of the Sustainability Appraisal (Appendix LPD5, page 40) is therefore wholly unclear, not justified, and is unsound.

28. In summary, the Council's position is that:

- the government's standard housing methodology determines an objectively assessed need of 638 dwellings per annum, or 11,484 over the plan period (which is a capped figure at 40% above the 'baseline' need figure);
- the figure is then capped further to the plan area as a whole to 575 dwellings per annum, because:

- capacity constraints associated with the A27 in the south of the plan area results in a resolution that there is capacity for no more than 535 homes per year in the south (i.e. a further capping of its proposed supply);
- this means that 103 homes per year need to be made up in the North of the Plan Area, or 1,854 homes over the plan period;
- a growth scenario (1a) including Crouchlands Farm for 1,114 homes (or 62 per year) is found to be most the sustainable option in the Sustainability Appraisal when considering the score of figure 1 above (Appendix LPD6, page 34) but is discounted without clear and robust reasoning;
- the Council thus proposes only 40 homes per year in the North of the Plan Area due to 'wide ranging planning reasons'.

29. This is wholly unsubstantiated as it means that there is a shortfall of 63 homes per year, or 1,134 homes over the plan period. Also:

- the Sustainability Appraisal (Appendix LPD5, page 16) sets out that water neutrality has implications for the growth quantum in the North of the Plan Area, so this area cannot accommodate the full 63 homes per year (which is already a capped figure);
- but the Water Neutrality Mitigation Strategy (Appendix LPD6, page 15, table 3.1), and the Sustainability Appraisal (Appendix LPD5, page 16), both confirm that the North of the Plan Area can accommodate 1,796 homes (circa 100 homes per year);
- and even if a suitably precautionary approach is taken (considering fewer homes, by 5% or 10%), 5% fewer homes would equate to 1,706 homes, and 10% fewer homes would equate to 1,616 homes;
- therefore, even with the highest buffer (10%) applied, 1,616 homes could be accommodated in the North of the Plan Area over the plan period (circa 90 homes per year). This means that almost the entirety of the actual shortfall (1,854 homes) could be reached in the North of the Plan Area.

30. We accept that the 1,854 homes required to be made up in the North of the Plan Area cannot be accommodated, due to water neutrality constraints and so scenarios 3 and 3a are discounted.

31. However, scenarios 1 (514 total homes), 1a (1,114 total homes), 2 (1,139 total homes), and 2a (1,514 total homes) would all be below the most precautionary approach taken to water neutrality constraint. Taking the highest growth scenario 2a (with Crouchlands Farm), there would still be headroom of 102 homes in terms of the Water Neutrality Mitigation Strategy.

32. Therefore, water neutrality cannot be the determining constraint for discounting scenarios 1a or 2a from the Sustainability Appraisal (Appendix LPD5).

33. Therefore, there is very limited explanation about what the "wide ranging planning reasons" are, and how the resulting shortfall has been reduced from 103 homes per year to 40 homes per year in the North of the Plan Area. Three examples are referenced (with our comments in bold):

- the rurality of the area – whilst we appreciate and wholly recognise this is a designated Rural Area under Section 157 of the Housing Act 1985, so are many of the sites in the south of the plan area that already have, and are planned to, accommodate significant growth. But other than this, a large part of the North of the Plan Area, including Crouchlands Farm, is unconstrained – it is not in the Green Belt, an Area of Outstanding Natural Beauty, a Special Area of Conservation, a Site of Special Scientific Interest, or other constraints. This is accepted by the Council at page 34 of the Sustainability Appraisal (Appendix LPD5);
- the entire area falls within a constrained water resource zone – this is not a constraint. The Council's own proposed Policy NE17 contradicts this reasoning, as clearly sets out how developers can provide evidence that new development will be water neutral. In addition, Natural England's Mitigation Strategy (Appendix LPD6, page V - XI) identifies the area as having capacity for 1,784 homes, and growth scenarios 1, 1a, 2 and 2a would all allow for headroom when considered against this (see paragraphs 28 – 32 above); and
- transport-related barriers to growth, whereby Waverley Borough and Horsham District have raised concern – as set out in Section C below, the planning applications at Crouchlands Farm contain a wealth of transport assessments and evidence that there are suitable, reasonable, and proportionate ways of mitigating this. Horsham District and Waverley Borough Councils and have not raised objection to the planning applications, either on transport or any other grounds (Appendices RGV40 and RGV41, respectively). Paragraph 5.2.33 of the Sustainability Appraisal (Appendix LPD5) accepts that the strategic growth options, i.e. Crouchlands Farm, have merit in transport terms.

34. Further details of the Council's assessment of Crouchlands Farm in the Sustainability Appraisal (Appendix LPD5) are set out in Section C of this representation, alongside our response to each of the points raised by the Council.

40 homes per year

35. A meeting was held between the Council and an Advisory Inspector in October 2022 (Appendix LPD9). This precedes the publication of the Sustainability Appraisal (Appendix LPD5), the growth scenario testing, and the Water Neutrality Mitigation Strategy (Appendix LPD6), which have since concluded that development of up to 1,796 homes can be sustainably achieved in the North of the Plan Area over the plan period. The Sustainability Appraisal (Appendix LPD5) excluded scenario 3a on the basis of this being exceeded (page 26).

36. Nevertheless, paragraph 5 of the Advisory Inspector's notes (Appendix LPD9) states "[...] the Council consider[s] a housing requirement below the need derived from the standard method (some 535 dwellings per annum (dpa) in the southern plan area and the potential for a further 40 dpa in the northern plan area compared to 638 dpa)". And paragraph 9 lists a number of potentially constraining factors (e.g. limited public transport, limited facilities, water neutrality etc), which the Advisory Inspector states (our emphasis): "appear to support the Council's position that a maximum of 600-700 homes could be delivered over the Plan period (or around 40 dpa)."

37. However, it is unclear what evidence informed the figure of 40 homes per year in the Advisory Inspector's note, particularly as:

- none of the scenarios in the Sustainability Appraisal specifically tested a 40 homes per year scenario; and
- the Water Neutrality Mitigation Strategy, restricting development in the North of the Plan Area to 1,796 homes was not published until December 2022.

38. It is also unclear how the proposed figure of 40 homes per year is reached as a blend of scenarios 1 and 2. For example, when calculating the completions (54), commitments (198), windfall (62) figures at table 5.5, plus the 220 homes at Loxwood, 25 homes at Plaistow and Ifold, 50 homes at Kirdford, and 75 homes at Wisborough Green, the total amounts to 684 homes over the plan period, or 38 homes per year.

39. Despite this, the Emerging Local Plan (Appendix LPD1, pages 99 and 100) sets out a figure of 40 homes per year over the plan period (679 homes in total), accounting for completions, commitments as of December 2022, windfall, allocation at Loxwood, and non-strategic allocations at Kirdford, Plaistow and Ifold, and Wisborough Green. This is contrary to the results of the Sustainability Appraisal.

40. In a previous meeting with the Advisory Inspector regarding water neutrality (September 2022, Appendix LPD10), the Inspector confirms that, prior to submission of a plan (our emphasis added):

"the Inspectorate can only provide advice based on national planning policy and guidance, along with our own personal experience. While it is possible to explore issues in advisory meetings it is not possible to say definitively that the approaches taken will lead to a sound plan. That's because ultimately each plan will be considered by an Inspector who has been appointed to carry out an independent examination. In doing so they will consider all the evidence to justify the plan, the representations and what was discussed at the hearing sessions."

41. It is therefore not sufficient reasoning for the Council to submit the Emerging Local Plan, using a blend of scenarios 1 and 2 that happen to match a 40 homes per year figure in the North of the Plan Area, on the basis of the Advisory Inspector's commentary in October 2022 (Appendix LPD9), which preceded the issuing of the Water Neutrality Mitigation Study (Appendix LPD6) and the Sustainability Appraisal (Appendix LPD5). One can assume there has been no examination of evidence by the Advisory Inspector, just commentary based on the Council's own - unsound - narrative.

42. For the above reasons, the Council has therefore not positively prepared or justified the reasons for limiting growth in the North of the Plan Area to 40 homes per year.

#### Development Plan Infrastructure Panel

43. The Sustainability Appraisal (and commentary at the Special Cabinet and Full Council meetings held on 23 and 24 January 2023) makes references to conversations held and decisions made by the Development Plan Infrastructure Panel. A Freedom of Information request was submitted to request the minutes of these meetings, and the response was that the meetings are confidential and so the minutes would need to be heavily redacted.

44. The transparency of this is in question. While the meetings may not be 'public' in the sense that the public can attend and watch, the meetings relate to a document that is in the public domain and subject to public consultation, and so there should be transparency into how the decisions and conclusions have been made and justified.

45. In light of the above, proposed Policies S1, H1, and H3 are unsound for not being positively prepared or justified, directing insufficient growth in the North of the Plan Area where there is evidence to support the allocation of additional housing in a more-sustainable way, by including Crouchlands Farm.

#### Housing Need

##### Shortfall of supply

46. Proposed Policy H1, Meeting Housing Needs (Appendix LPD1, page 100), is unsound.

47. Paragraph 61 of the National Planning Policy Framework (2021) sets out that "to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach".

48. The Council's Housing and Economic Development Needs Assessment (Appendix LPD2, page 42) identifies a housing need of 763 homes per year based on the Government's standard method. That figure comprises 125 homes per year for the part of the district in the South Downs National Park and 638 homes per year for the remainder of the district (the plan area). This equates to a total requirement for 11,484 new homes for the plan period of 1 April 2021 to 31 March 2039.

49. Proposed Policy H1, however, sets out the total housing supply of 10,359 homes for the plan period, which equates to 575 homes per year. This is a shortfall in supply of 1,134 homes, or 63 homes per year, against the minimum local housing need as calculated by the Government's standard method.

50. The Council attempts to justify the proposed shortfall in housing supply due to key constraints in the south (the A27, flood risk, environmental designations) and the north of the district. In the north, the Council identifies key constraints to be the protection of environmental designations, landscape quality, historic environment and settlement character, and water neutrality (Appendix LPD1, paragraph 3.5).

51. We note that this was echoed by the Planning Inspectorate in a Local Plan Advisory Meeting, held on 5 October 2022, who found that: "The northern area is not constrained by the capacity of the A27 but has its own issues. As a predominantly rural area with limited facilities and public transport, it is not an obvious location for significant development. There are also landscape and historic environment constraints. It is also affected by water neutrality requirements and the potential for capacity issues on the wider highway network. These factors appear to support the Council's position that a maximum of 600-700 homes could be delivered over the Plan period (or around 40 dpa)". (Appendix LPD9, paragraph 9).

52. However, that advice was issued prior to the Council's Sustainability Appraisal (Appendix LPD5) and Water Neutrality Mitigation Strategy (Appendix LPD6) being published, which have since concluded that development of up to 1,796 homes in the North of the Plan Area over the plan period can be sustainably achieved.

53. The Council makes no justification that not meeting its housing need in full would significantly and demonstrably outweigh the benefits of meeting the majority of the shortfall of need in the North of the Plan Area, when assessed against the policies in the National Planning Policy Framework (2021) taken as a whole. The Council entirely overlooks the fact that its objectively assessed housing requirement is not being met. The only reason the Council makes for not meeting its housing need in the North of the Plan Area is set out in a Cabinet Report, dated 23 January 2023, which states: In the north of the Plan area, previously, given it is less sustainable compared to Chichester and the east-west corridor, the Local Plan has only provided for only limited growth, focused on enabling these communities to continue to sustain local facilities and contribute towards meeting locally generated housing needs, and support for the rural economy, in line with the settlement hierarchy. However, due to the constraint of the A27 in the south of the plan area (see housing section at para 5.34 onwards below), it is considered that this Plan should provide for a moderate level of growth in the north to help to make up the overall shortfall of dwellings, in order to demonstrate that 'no stone has been left unturned' in identifying housing supply.

High levels of growth were considered at Loxwood, Kirdford, Wisborough Green and Plaistow and Ifold, but ruled out due to the need to conserve the rural character of the area and its high quality landscape and to minimise the impact on the historic environment. The spatial strategy therefore includes growth at Kirdford (50 dwellings), Wisborough Green (75 dwellings) and Plaistow and Ifold (25 dwellings). Loxwood is the least constrained settlement in the north of the plan area, and benefits from the most services and facilities, including healthcare. Therefore, a moderate amount of growth is appropriate for Loxwood of 220 dwellings, to come forward through the neighbourhood planning process. The SA of the northern options considered 3 scenarios (plus each scenario with the addition of a potential new settlement at Crouchlands), for low, higher and highest growth. The highest growth scenarios perform poorly and therefore the Local Plan reflects a combination of the low and higher growth scenarios tested, which takes into account the constraints of each settlement and the need to avoid cross boundary traffic and education impacts. A new settlement at Crouchlands has been ruled out as it is not of a sufficient size to be a sustainable new settlement in a rural location and because of the negative impact on the landscape and intrinsic rural character of the area and poor sustainable transport links. (Appendix LPD11, paragraphs 5.19 – 5.21).

54. The Council fails to make a case that the impacts of meeting this need would outweigh the harm caused by not meeting the full housing need, or indeed that impacts of even getting closer to meeting this need would demonstrably outweigh the harm of not meeting housing need.

55. On the contrary, there is evidence to demonstrate that housing supply could be higher by at least 600 homes through the allocation of Crouchlands Farm as a site considered to be suitable, achievable and available by the Council's Housing and Economic Land Availability Assessment (Appendix LPD7, page 134). The allocation of Crouchlands Farm would be acceptable in water neutrality terms, with both Scenarios 1a and 2a of the Sustainability Appraisal (Appendix LPD5, page 34) delivering new homes below the maximum figure set out in the Water Neutrality Mitigation Report (Appendix LPD6, page VI). Furthermore, there are no heritage and landscape constraints associated with Crouchlands Farm.

56. In addition, the information supporting the applications for Rickman's Green Village further demonstrate Crouchlands Farm as a highly sustainable site, capable of delivering up to 600 homes alongside a village hub with farm shop, retail and commercial units, office and flexible working space, and open space provision (as well as provision for a primary school or other suitable community facility).

57. Proposed Policy H1 is therefore unsound on the basis that it is not positively prepared or justifiable when accounting for all reasonable alternatives. Historic under-delivery

58. The previous (adopted) Local Plan (Appendix LPD3, page 49) did not provide a sufficient supply of housing to meet the Council's full housing need at the time of adoption, which is the same approach proposed by the Council for Policy H1.

59. Many of the sites allocated for housing in the previous (adopted) Local Plan on sites in the south of the District have not been delivered, as demonstrated by Appendix 2, Table E of the Council's Five Year Housing Land Supply Position Statement (Appendix LPD12). This confirms that four sites allocated by the Council previously, with a combined projected supply of 2,210 homes, have not been started, and do not even benefit from planning permission. We understand that none of those sites has come forward due to impediments resulting from site ownership, which raises questions around the approach taken by the Council in allocating sites for housing in the south in the past, which Policy S1 proposes to use again.

60. The Council's failing to meet its housing supply historically has also resulted in it now being unable to demonstrate a five year housing land supply and so unable to effectively manage proposals for speculative housing developments. This is reflected in a significant proportion – some 87% – of new housing coming from windfall sites (Appendix LPD4, page 12).

61. In addition, the Council introduced a new Interim Position Statement for Housing (Appendix LPD13) which set out a spatial strategy to allow new development adjacent to settlement boundaries as a way of significantly boosting housing supply (Criterion 1). The Council has not carried this strategy forward into the emerging Local Plan. This is despite the Planning Inspectorate recommending this in a recent appeal decision (Appendix LPD14), stating that the application of Criteria 1 suggested "the Council's [adopted] spatial strategy may be out of date, as a more permissive approach appears necessary to maintain a five-year housing land supply." (paragraph 25).

62. Proposed Policies S1 and H1 are therefore unsound as they follow the same approach of the previous (adopted) Local Plan, which has proven to be ineffective and unsustainable, contrary to national policy, and the recommendations of the Planning Inspectorate.

#### Longer Term Growth Requirements

63. The emerging Local Plan as originally published (Appendix LPD15), prior to the meetings of the Council's Cabinet and Full Council on 23 and 24 January 2023, respectively, set out "some reservations about whether it will be appropriate in the longer term to continue to rely on existing sources of supply (e.g., urban extensions and urban intensification) indefinitely given the potential for ongoing increased levels of housing needs" (paragraph 5.11).

64. In doing so, it identified that a new settlement of 2,000 – 3,000 dwellings to accommodate potential longer-term growth needs beyond the Plan period (i.e. 2039 onwards) will need to be explored.

65. At the meeting of the Council's Cabinet, a proposed amendment was agreed to remove the above wording and instead insert: "Beyond the Plan period additional planned provision for housing will be required. During the course of preparing this Plan, it has become apparent that it may not be appropriate in the longer term to continue to rely completely on sources of supply such as urban extensions and urban intensification" [...]

"In order to be in a position to update this Local Plan within the next five years the Council will need to consider future population and household growth. At the same time, the requirement for sufficient homes to house a local workforce without relying on excessive in-commuting to the District's workplaces will need to be considered. The continual evolution of National Planning Policy also presents challenges as in what national, regional, sub-regional and plan area strategic planning context any future reviews of this plan may be undertaken." (Appendix LPD1, paragraphs 5.11 – 5.12).

66. Reference is then made to the need to work "bilaterally with neighbouring authorities in seeking to find cross boundary strategic solutions to future growth requirements" (Appendix LPD1, paragraph 5.13).

67. The emerging Local Plan (Appendix LPD1, paragraph 5.14) continues to recognise a need to facilitate the identification of possible new development sites specifically within the Chichester plan area, however solutions to meet that need are not explored fully.

68. The Council states that it would consider sites that (with our commentary in bold):

- i) are of a sufficient scale to support potential long-term development needs arising and support the provision of key infrastructure and community facilities – Rickman's Green Village is of a scale similar to surrounding villages, and will provide all necessary key infrastructure as well as community facilities such as a potential primary school (or other suitable community facility), sports pitches, and shops;
- ii) are comprehensively planned in consultation with existing communities and key stakeholders – significant public engagement has been undertaken, including two in-person public consultation events, and pre-application discussions with West Sussex County Council (on transport, and education) and Chichester District Council;
- iii) provide for a sustainable, inclusive and cohesive community promoting self-sufficiency and with high levels of sustainable transport connectivity – a new bus service connecting Rickman's Green Village to Billingshurst is proposed, and onsite infrastructure is provided to promote self-sufficiency;
- iv) include on-site measures to avoid and mitigate any significant adverse impacts on nearby protected habitats – extensive ecology surveys and assessments have been undertaken to ensure habitats are protected. For example, 10 – 30 m buffers have been incorporated around Ancient Woodland;
- v) provide a mix of uses to meet longer term development needs and contribute towards its distinctive identity – the village hub will provide office spaces, shops, a café, leisure facilities and a potential school or other suitable community facility to meet long term needs of future residents; and
- vi) are of a layout and form that avoids coalescence with existing settlements and does not undermine their separate identity; respects the landscape character and conserves and where possible enhances the character, significance and setting of heritage assets – Rickman's Green Village has been designed to be a new rural village that does not rely on or coalesce with other surrounding villages. The design has been landscape-led and reflects the character of nearby villages, with contemporary features. There are a number of mitigation measures in place to ensure the setting of heritage assets are protected.

69. Proposed Policies S1 and H1 are therefore unsound. The Council acknowledges that there are ways of meeting future housing need, which could include an allocation of Crouchlands Farm, but avoids deploying these now, which is not justified.

#### Water neutrality

70. Proposed Policies S1, Spatial Development Strategy (Appendix LPD1, page 40 – 41), H1, Meeting Housing Needs (Appendix LPD1, page 100), and H3, Non-Strategic Parish Housing Requirements 2021 – 2039 (Appendix LPD1, page 103) are unsound, and contradictory to proposed Policy NE17, Water Neutrality (Appendix LPD1, page 89)

71. The Council's Sustainability Appraisal (Appendix LPD5), in assessing the proposed growth scenarios for the North of the Plan Area, states that water neutrality remains a "key constraint to higher growth" (page 40), despite a Mitigation Strategy (Appendix LPD6) having been agreed.

72. That Mitigation Strategy (Appendix LPD6) assumes 1,796 homes being delivered in the North of the Plan Area which the Council's Sustainability Appraisal (Appendix LPD5, page 16) states:

"immediately serves to indicate that there is no potential to deliver the high growth target figure of 1,854 homes as the (minimum) level of growth that

would be necessary in the northeast plan area, were the local plan housing requirement to be set at LHN [local housing need]."

73. Based on the above, the Council should have discounted the highest growth scenarios for the North of the Plan Area in the Sustainability Appraisal Scenarios 3 and 3a, which propose 1,964 and 2,564 homes, respectively for delivering more than 1,796 homes (Appendix LPD5, page 26). Page 26 of the Council's Sustainability Appraisal (Appendix LPD5) states, however, "On balance, just Scenario 3a [highest growth of the four parishes plus Crouchlands Farm, providing 2,564 homes] is ruled out as unreasonable, on this basis, leaving five reasonable growth scenarios". The Council provides no further justification for the inclusion of Scenario 3.

74. The Sustainability Appraisal (Appendix LPD5) goes on to state that whilst a Mitigation Strategy has been agreed, it "cannot be implemented until further work has been completed in order to design / set up strategic offsetting schemes. In this light, the proposed strategy of restricting growth somewhat [in the North of the Plan Area] is supported" (page 60).

75. That assessment is at odds, however, with proposed Policy NE17, Water Neutrality (Appendix LPD1, page 89), which states that "Development proposals are not required to utilise the planning authority-led offsetting scheme and may bring forward their own offsetting schemes."

76. The Council, therefore, seeks to use water neutrality to limit future growth in the North of the Plan Area, despite proposed Policy NE17 facilitating appropriate development from coming forward, such as that proposed at Crouchlands Farm. Proposed Policies S1, H1 and H3 are unsound for not being positively prepared or justified.

#### C. CROUCHLANDS FARM

77. Our analysis of the Council's emerging Local Plan shows that it cannot be found sound as the Council proposes a shortfall of supply against its minimum local housing need where there are no exceptional circumstances to justify this, as well as there being evidence to support additional sites for housing.

78. As a result, the Council should be asked to allocate more sites to help bridge the gap in the extent of its housing shortfall and Crouchlands Farm should be considered the obvious first choice given the deliverability of Rickman's Green Village, as demonstrated by the Council's evidence base (Appendix LPD5, page 34, and Appendix LPD7.5, page 134), and the evidence presented below.

For further information, see attached supplementary documents.

#### Change suggested by respondent:

See attached written representation

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** 2023.03.16 final wsx1 Local Plan Representation - <https://chichester.oc2.uk/a/swm>  
 LPD17 Sustainable Settlement Study (March 2023) - <https://chichester.oc2.uk/a/trh>  
 ENG1 Letter Introducing Rickman's Green Village to Senior Leadership Team\_redacted - <https://chichester.oc2.uk/a/t35>  
 ENG2 Rickman's Green Village Public Consultation Letter\_redacted - <https://chichester.oc2.uk/a/t36>  
 ENG10 Letter to Senior Leadership Team Regarding Application Submissions\_redacted - <https://chichester.oc2.uk/a/t37>  
 LPD14 Appeal Decision - <https://chichester.oc2.uk/a/t39>  
 LPD13 Interim Position Statement for Housing - <https://chichester.oc2.uk/a/t3d>  
 ENG3 Rickman's Green Village Proposed Allocation Information Pack - <https://chichester.oc2.uk/a/t3w>  
 ENG4 Rickman's Green Village Proposed Allocation Briefing Note - <https://chichester.oc2.uk/a/t3f>  
 ENG5 Rickman's Green Village Illustrative Masterplan - <https://chichester.oc2.uk/a/t3g>  
 ENG6 Rickman's Green Village Public Consultation Update - <https://chichester.oc2.uk/a/t3h>  
 ENG7 Rickman's Green Village Public Consultation Presentation Boards - <https://chichester.oc2.uk/a/t3x>  
 ENG8 Rickman's Green Village Proposed Landscape Strategy - <https://chichester.oc2.uk/a/t3j>  
 ENG9 Rickman's Green Village Bus Feasibility Note - <https://chichester.oc2.uk/a/t3k>  
 RGV1 Whole Farm Plan Planning Statement - <https://chichester.oc2.uk/a/t3z>  
 RGV2 Rickman's Green Village Planning Statement - <https://chichester.oc2.uk/a/t3m>  
 RGV4 Rickman's Green Village (full) design and access statement - <https://chichester.oc2.uk/a/t3n>  
 RGV5 Rickman's Green Village (outline) Design and Access Statement - <https://chichester.oc2.uk/a/t3y>  
 RGV6 Rickman's Green Village Affordable Housing Statement - <https://chichester.oc2.uk/a/t3p>  
 RGV8 Whole Farm Plan Air Quality Impact Assessment (Summary) - <https://chichester.oc2.uk/a/t3q>  
 RGV9 Rickman's Green Village (full) Air Quality Assessment - <https://chichester.oc2.uk/a/t4r>  
 RGV10 Rickman's Green Village (outline) Air Quality Assessment - <https://chichester.oc2.uk/a/t4s>  
 RGV11 Whole Farm Plan Arboricultural Implications Report - <https://chichester.oc2.uk/a/t4t>  
 RGV16 Rickman's Green Village Deliverability Statement - <https://chichester.oc2.uk/a/t43>  
 RGV17 Whole Farm Plan Ecological Impact Assessment (Report Summary) - <https://chichester.oc2.uk/a/t44>  
 RGV18 Rickman's Green Village Ecological Impact Assessment (Report Summary) - <https://chichester.oc2.uk/a/t45>  
 RGV19 Whole Farm Plan Economic Impact Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t46>  
 RGV21 Whole Farm Plan Environment Impact Assessment - <https://chichester.oc2.uk/a/t47>  
 RGV22 Rickman's Green Village Environmental Statement - <https://chichester.oc2.uk/a/t48>  
 RGV23 Whole Farm Plan Heritage Statement (Summary and Conclusion) - <https://chichester.oc2.uk/a/t49>  
 RGV31 Whole Farm Plan Operational Statement - <https://chichester.oc2.uk/a/t4v>  
 RGV32.2 Rickman's Green Village (outline) Residential Travel Plan Annex C - <https://chichester.oc2.uk/a/t4b>  
 RGV33 Whole Farm Plan Rural Enterprise Centre Report - <https://chichester.oc2.uk/a/t4c>  
 RGV35 Whole Farm Plan Transport Assessment (Summary and Conclusions) - <https://chichester.oc2.uk/a/t4d>  
 RGV38 Whole Farm Plan Water Neutrality Report - <https://chichester.oc2.uk/a/t4w>  
 RGV39 Rickman's Green Village (full) Water Neutrality Report - <https://chichester.oc2.uk/a/t4f>  
 PLA1 Allocation Location Plan - <https://chichester.oc2.uk/a/t4g>  
 PLA2 Whole Farm Plan Site Location Plan - <https://chichester.oc2.uk/a/t4h>  
 PLA3 Proposed Whole Farm Plan - <https://chichester.oc2.uk/a/t4x>  
 PLA4 Phase 1 Site Location Plan - <https://chichester.oc2.uk/a/t4j>  
 PLA5 Phase 1 Illustrative Masterplan - <https://chichester.oc2.uk/a/t4k>  
 PLA6 Phase 1 Proposed Site Layout - <https://chichester.oc2.uk/a/t4z>  
 PLA7 Phase 2 Site Location Plan - <https://chichester.oc2.uk/a/t4m>  
 PLA8 Rickman's Green Village Illustrative Masterplan (Option A) - <https://chichester.oc2.uk/a/t4n>  
 PLA9 Rickman's Green Village Framework Masterplan (Option A) - <https://chichester.oc2.uk/a/t4y>  
 PLA10 Rickman's Green Village Framework Masterplan (Option B) - <https://chichester.oc2.uk/a/t4p>  
 PLA11 Axonometric View (Option A) - <https://chichester.oc2.uk/a/t4q>  
 LDP15 Cabinet Meeting Agenda Item 4 - <https://chichester.moderngov.co.uk/documents/s24215/Proposed%20Submission%20version%20of%20the%20Chichester%20Local%202039%20-%20Appendix%20A.pdf>  
 RGV7 Rickman's Green Village Agricultural Classification Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t54>  
 RGV12 Rickman's Green Village (full) Arboricultural Implications Report - <https://chichester.oc2.uk/a/t55>

RGV13 Rickman's Green Village (outline) Arboricultural Implications Report (summary) - <https://chichester.oc2.uk/a/t56>  
 RGV14 Rickman's Green Village (full) Biodiversity Net Gain Assessment (Report Summary) - <https://chichester.oc2.uk/a/t57>  
 RGV15 Rickman's Green Village (outline) Biodiversity Net Gain Assessment (Report Summary) - <https://chichester.oc2.uk/a/t58>  
 RGV20 Rickman's Green Village Economic Impact and Social Value Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t59>  
 RGV24 Rickman's Green Village (full) Heritage Statement (Summary and Conclusion) - <https://chichester.oc2.uk/a/t5v>  
 RGV25 Rickman's Green Village (outline) Heritage Statement (Summary and Conclusion) - <https://chichester.oc2.uk/a/t5b>  
 RGV26 Rickman's Green Village (full) Land Quality Assessment (Conclusions and Recommendations) - <https://chichester.oc2.uk/a/t5c>  
 RGV27 Rickman's Green Village (outline) Land Quality Assessment (Conclusions and Recommendations) - <https://chichester.oc2.uk/a/t5d>  
 RGV28 Whole Farm Plan Landscape and Visual Impact Assessment (Summary and Mitigation Strategy) - <https://chichester.oc2.uk/a/t5w>  
 RGV29 Rickman's Green Village (full) Landscape and Visual Impact Assessment (conclusion) - <https://chichester.oc2.uk/a/t5f>  
 RGV30 Rickman's Green Village (outline) Landscape and Visual Impact Assessment (Conclusion) - <https://chichester.oc2.uk/a/t5g>  
 RGV32.1 Rickman's Green Village (outline) Residential Travel Plan (Executive Summary) - <https://chichester.oc2.uk/a/t5h>  
 RGV34 Rickman's Green Village (outline) School Travel Plan (Executive Summary) - <https://chichester.oc2.uk/a/t5x>  
 RGV36 Rickman's Green Village (full) Transport Assessment (Executive Summary) - <https://chichester.oc2.uk/a/t5j>  
 RGV37 Rickman's Green Village (outline) Transport Assessment (Summary and Conclusions) - <https://chichester.oc2.uk/a/t5k>  
 RGV40 Horsham District Council Response to Rickman's Green Village Applications - <https://chichester.oc2.uk/a/t5z>  
 RGV41 Waverley Borough Council Response to Rickman's Green Village Applications - <https://chichester.oc2.uk/a/t5m>  
 RGV42 West Sussex County Council Response to Rickman's Green Village Applications - <https://chichester.oc2.uk/a/t5n>  
 LPD15 Cabinet Meeting Agenda Item 4 - <https://chichester.oc2.uk/a/t5y>  
 RGV3 Whole Farm Plan Design and Access Statement - <https://chichester.oc2.uk/a/t5p>

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Loxwood (Mellow) Ltd [7870]

**Agent:** Ms Megan Smith [7858]

### Summary:

As has been discussed across these Draft Local Plan Representations, we support the proposed growth of Loxwood. However, we wish to object to Policy A15, highlighting that the proposed figure of 220 dwellings will not sufficiently meet the objectively assessed need for housing within the Chichester District.

This figure should be increased to allow greater housing provision in the North of the Plan Area. In line with our comments on Policy H1 – Meeting Housing Needs, we propose a greater allocation of dwellings to the sustainable settlement of Loxwood, with a minimum of 300 dwellings, based on the findings of the Sustainability Appraisal (Jan 2023).

In addition to this seek to reiterate that proposed dwelling allocations within the Draft Local Plan should be specifically allocated by Chichester at a District level, in order to ensure the uptake of appropriate deliverable sites, and not be delegated at a neighbourhood plan level.

The Revised Neighbourhood Plan for Loxwood has omitted this site from their neighbourhood plan, creating a piecemeal plot outside of the Settlement Boundary. The failure to allocate an appropriate site at neighbourhood plan level means that the housing delivery over the plan period is unlikely to be met. As such, the Draft Local Plan is considered 'unjustified' by relying on the delegation of parish allocations.

### Full text:

As has been discussed across these Draft Local Plan Representations, we support the proposed growth of Loxwood. However, we wish to object to Policy A15, highlighting that the proposed figure of 220 dwellings will not sufficiently meet the objectively assessed need for housing within the Chichester District.

This figure should be increased to allow greater housing provision in the North of the Plan Area. In line with our comments on Policy H1 – Meeting Housing Needs, we propose a greater allocation of dwellings to the sustainable settlement of Loxwood, with a minimum of 300 dwellings, based on the findings of the Sustainability Appraisal (Jan 2023).

In addition to this seek to reiterate that proposed dwelling allocations within the Draft Local Plan should be specifically allocated by Chichester at a District level, in order to ensure the uptake of appropriate deliverable sites, and not be delegated at a neighbourhood plan level.

Paragraphs 68 and 69 of the NPPF identify the need for strategic housing sites, with paragraph 69 outlining the importance of smaller scale sites, such as Land to the South West of Willetts Way. These paragraphs state that 'planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability'. This has been appropriately shown for the site via the HELAA 2012 and outlines that the site is suitable, available and achievable for up to 10 dwellings.

The Revised Neighbourhood Plan for Loxwood has omitted this site from their neighbourhood plan, creating a piecemeal plot outside of the Settlement Boundary. The failure to allocate an appropriate site at neighbourhood plan level means that the housing delivery over the plan period is unlikely to be met. As such, the Draft Local Plan is considered 'unjustified' by relying on the delegation of parish allocations.

We ask that these policies be reworded to increase the housing provision for the 'Service Village' of Loxwood, and remove the reliance on Neighbourhood Plan making, with sites allocated at a District level to ensure the appropriate uptake of sites and settlement boundaries, and help Chichester Council achieve the objectively assessed housing need of the District.

### Change suggested by respondent:

This figure should be increased to allow greater housing provision in the North of the Plan Area. In line with our comments on Policy H1 – Meeting Housing Needs, we propose a greater allocation of dwellings to the sustainable settlement of Loxwood, with a minimum of 300 dwellings, based on the findings of the Sustainability Appraisal (Jan 2023).

We ask that these policies be reworded to increase the housing provision for the 'Service Village' of Loxwood, and remove the reliance on Neighbourhood Plan making, with sites allocated at a District level to ensure the appropriate uptake of sites and settlement boundaries, and help Chichester Council achieve the objectively assessed housing need of the District.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** 7093 - PL-15A - Location Plan.pdf - <https://chichester.oc2.uk/a/ss3>

Written representation letter - <https://chichester.oc2.uk/a/s44>

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr Roger Marshman [6655]

**Summary:**

Looking at Loxwood. There is insufficient infrastructure for drainage, sewage, transport, retail, roads, schools, doctors etc. Southern Water is already spilling sewage into the river Lox. This area simply cannot support more housing

**Full text:**

Looking at Loxwood. There is insufficient infrastructure for drainage, sewage, transport, retail, roads, schools, doctors etc. Southern Water is already spilling sewage into the river Lox. This area simply cannot support more housing.

**Change suggested by respondent:**

The number of houses needs to be reduced.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Crownhall Estates Limited & Martin Grant Homes [8115]

**Agent:** Henry Adams LLP (Mrs Rebecca Tier, Senior Planner) [8116]

**Summary:**

Policy A15 is not therefore considered precise and does not provide any clear timetable for delivery in housing within Loxwood within the Plan period. It is therefore recommended that the allocation of housing sites in Loxwood should be based on a higher growth scenario of at least 825 homes which should be delivered either through a Local Plan policy allocation or within an SPD, with a clear timetable of when the SPD will be produced by the Council. Site proposed.

**Full text:**

1 Introduction

1.1 This representation provides a response to the Regulation 19: Local Plan Consultation in relation to the land at Headfoldswood Farm, Loxwood, RH14 0SX, as shown on the attached Masterplan Promotional Document, and hereon referred to as the site.

1.2 This representation will provide a written response in relation to the questions in the Regulation 19 Local Plan Consultation which directly relate to the promotion of our client's land for future development.

2 Comments on Specific Questions/Tests

2.1 In response to the national planning legislation, this Regulation 19 Local Plan Consultation invites comments on three specific questions, and is the final consultation phase, before the Regulation 19 version of the Local Plan is submitted for examination.

2.2 This representation will respond on these specific questions, and then highlight how our client's site could help fulfil the full housing requirement for the District to be delivered through an appropriate strategic allocation policy within the Council's Local Plan or through an Supplementary Planning Document (SPD).

Is the plan 'sound'?

2.3 Paragraph 35 of the National Planning Policy Framework defines the tests for soundness which requires the plan to be positively prepared, justified, effective and consistent with National Policy. These matters will now be considered in further detail in relation to the current consultation on the Regulation 19 version of the Local Plan.

Is the plan positively prepared and justified?

2.4 Policy S1 of the Draft Local Plan sets out the spatial development strategy for the District and how the Council will achieve sustainable growth over the plan period and Policy H1 sets out the housing target in response to the strategy. Both policies have been informed by the Sustainability Appraisal (SA) dated January 2023 and the Plan objectives, which are set out at paragraph 2.5.2 of the SA and the Council's HEDNA (April 2022).

2.5 The SA then goes on to discuss the potential growth scenarios and confirms two points:

- Standard method housing figure for Chichester (excluding SDNP) is 638 dwellings per annum, or 11,484 in total over the Plan period
- The above figure is capped at 40% above the baseline need and that the uncapped figure is significantly higher than this at 884 dwellings per annum (dpa)

2.6 Of particular note is that point ii. above seeks to cap the overall housing increase by no more than 40% above the previously adopted LP housing figure of 435 dpa. The Local Plan then goes on to constrain housing numbers due to an alleged capacity concern along the A27 strategic road network. The Council therefore result in a constrained housing figure by virtue of the standard method 'steps' and also due to infrastructure capacity. It should be noted that the 435 dpa figure within the 2015 Local Plan was similarly constrained and an early review was the only basis for accepting this reduced housing figure. This early review did not take place.

2.7 In terms of the influence of the A27, this is the key matter that constrains growth within the southern part of the District. This is based on the evidence base documents that state that the road network cannot accommodate an annual housing figure of more than 535 dpa. This is a fundamental point and one that we do not agree and believe there is capacity to accommodate at least the local housing need within the highway network, alongside potential improvements identified for the following reason.

2.8 The Transport Study (January 2023) is the key document on which the Council rely upon to constrain their housing figure to 535 dpa. On review of this document, it is clear that the Council's consultants undertook a sensitivity analysis as to whether the core scenario that supports the 535 dpa position in the local plan could accommodate a higher level of growth. The conclusion in paragraph 5.6.5 and 11.2.3 of the Transport Study appears to be that 700 dpa could be accommodated (in the southern plan area) by the mitigation proposed for the 535 dpa core test, with some additional, and as yet undesignated and not costed, mitigation works beyond those highlighted for the Bognor and Fishbourne roundabouts.

2.9 Accordingly, the Council's own evidence base has undertaken the assessment and concluded that a higher growth figure could be accommodated on the A27, subject to appropriate improvement works. Given the testing of the higher growth figure, which appears to accommodate the higher growth figure, the exceptional circumstances to constrain growth, as set out at paragraph 60 on the NPPF do not exist and the Plan could be considered unsound on this point alone.

2.10 As a result of the above, the SA does not consider a scenario where the Council would meet its local housing need, nor a scenario where it exceeds its local housing need, which is of relevance given the scale of development expected for adjoining authorities, including the highly constrained SDNP.

2.11 It should also be noted that the draft Plan does not therefore address any need in relation to unmet need of neighbouring authorities and it does not contain evidence to suggest that these matters have been discussed with the adjoining Authorities. Notably, Arun District Council have confirmed that they will be objecting to the Plan and currently proposed on the basis that they have a significant housing need themselves. This is likely to be further influenced by unmet need from Chichester, who again are seeking to constrain housing requirements, which was the case in 2015 and the subsequent knock on from that was for Arun to address some of that need in their 2018 Local Plan.

2.12 Given that we do not accept that the A27 capacity matters present a ceiling in terms of housing delivery (based on the Council's Transport Study comments and that of its own consultants), it is not accepted that the Plan and associated SA demonstrates reasonable alternatives have been



considered and it is not therefore positively prepared, nor is their approach to housing figures justified.

Effective?

2.13 On the basis of the 535 dpa figure, it is considered that the selected areas for growth and figures are deliverable over the Plan period, however, as set out above, the plan area could accommodate a greater level of growth.

2.14 It should also be noted that the Plan relies on the delivery of Neighbourhood Plan and / or small site allocations DPD. This is set out under Policy H3 in the draft document. This states the following in terms of delivery:

If draft neighbourhood plans making provision for at least the minimum housing numbers of the relevant area have not made demonstrable progress the council will allocate sites for development within a development plan document in order to meet the requirements of this Local Plan.

2.15 The above is not precise and does provide any clear timetable for delivery within the Plan period. Whilst the strategy in the comments above could be effective, the Local Plan needs to give a clear timescale for completion of the supplementary Development Plan documents in order to give a clear timescale for this to be completed.

Is the plan consistent with National Policy?

2.16 On the basis of the comments above, the approach to selected sites for allocation based on the 535 dpa figure is considered to be consistent. However, due to the lack of evidence to demonstrate this, the 535 dpa figure should be capped. Given the A27 capacity points raised, the draft Plan does not appear to meet the exceptional circumstances allowed for at paragraph 61 of the NPPF to justify their alternative approach. The Plan as proposed is therefore inconsistent with NPPF when read as a whole.

### 3 Development in Loxwood

3.1 Our client's land is located to the west of the village of Loxwood, which is situated to the northeast of the District. The High Street (B2133) runs through the village, connecting the A281 and A272. For a detailed context appraisal of the site and masterplan vision, please see attached the Masterplan Promotional Document. The site was submitted for the Council's call for sites in February 2019 and is included in Council's latest HELAA.

3.2 The Draft Local Plan defines Loxwood as a service village with local facilities and services, these include an infant and junior school, as well as a medical practice, a local shop and community facilities, including a village hall. The village has been identified in the Local Plan as a suitable location for a higher level of growth as it has suitable HELAA sites which could come forward through the Neighbourhood Plan process.

3.3 It is agreed that a strategic expansion to the west of Loxwood is the best option for growth in the north-eastern area of the District as there are fewer constraints within Loxwood in comparison to other villages within the north-eastern area of the District.

3.4 Policy A15 of the Draft Local Plan states that land will be allocated within the revised Loxwood Plan for a minimum of 220 dwellings and supporting facilities and infrastructure. This is based on a downwards adjustment scenario for Loxwood, but it should be noted this figure is closer to the lower growth scenario of 200 dwellings.

3.5 The Council acknowledges in the SA that the highest growth scenario of 1.650 homes could be justified but there are concerns regarding the deliverability of homes due the potential scale of allocations to meet the higher growth figure which in turn could affect the Council's ability to deliver the housing within the five year period. However, the Plan currently seeks

to allocate reasonably sized housing allocations on a number of small-scale housing sites which by this logic could equally affect the Council's ability to meet the Council's five year housing supply. It is recommended that the middle, higher growth scenario of at least 825 homes is sought, which would allow for meaningful growth in order to meet the needs generated by the new community, such as the identified primary school. The higher housing figure would also provide the benefit of more affordable housing provision for the north-eastern area of the District.

3.6 Loxwood Parish Council have produced a revised Draft Neighbourhood Plan which seeks to allocate 126 dwellings plus 17 carried forward from the Made Loxwood Neighbourhood Plan, providing a total of 143 dwellings. The Draft Neighbourhood Plan was submitted to the Council under Regulation 14 in December 2020. It is noted in response to the Reg 19 Local Plan consultation, that Loxwood Parish Council will be objecting to policy A15 and the increased housing numbers of 220 dwellings on sustainability grounds, with specific reference to water neutrality. The recent Parish Council meeting notes also indicate that there is currently little appetite to undergo another Neighbourhood Plan review, which will likely require additional resource and cost.

3.7 There is concern that relying on the Neighbourhood Plan to allocate specific sites in Loxwood, will result in unnecessary delay to delivery of housing in this area given the points raised above. Policy A15 is not therefore considered precise and does provide any clear timetable for delivery in housing within Loxwood within the Plan period. It is therefore recommended that the allocation of housing sites in Loxwood should be based on a higher growth scenario of at least 825 homes which should be delivered either through a Local Plan policy allocation or within an SPD, with a clear timetable of when the SPD will be produced by the Council.

### Water Neutrality

3.8 One of the constraints of the north-east of the District is the requirement is for all new development to meet water neutrality, to ensure that any new it does not impact further on the habitat site comprising the Arun Valley Special Area of Conservation (SAC) or the Arun Valley Special Protection Area (SPA) & Ramsar site, in terms of groundwater abstraction within the Sussex North Water Supply Zone. It is anticipated that further advice and a mitigation strategy will be created by the Council and its partners to demonstrate how developments can achieve water neutrality. However, at present applicants are required to provide a water neutrality strategy to demonstrate how the development can achieve water neutrality.

3.9 To provide the Council with reassurance that the site is deliverable despite this constraint, our client has commissioned an initial water strategy based on a development of approximately 250 dwellings which includes provision for offsetting. The initial strategy indicates that water neutrality could be achieved for development on the site through water efficient fixtures and fittings, reuse of harvested water through greywater recycling for flushing toilets and offsetting through water efficiency upgrades on an educational facility located within the Sussex North Water Supply Zone. It would therefore appear on the basis of the work undertaken to date, that it would be possible for future development on this site to achieve water neutrality.

### 4. General Policy requirements

Policy H11 Meeting Gypsies, Travellers and Travelling Showpeoples' Needs - object

4.1 The above policy sets out a requirement for 124 pitches across the Plan period, which is to be provided for by allocation of pitches on strategic allocation sites proposing 200+ homes.

4.2 Whilst we understand that there may be a district wide need, we understand that the underlying rationale underpinning this strategic approach is that insufficient sites came forward as part of the Council's Call for Sites process. However, whilst this tells us about availability of sites, it doesn't dictate the appropriateness of locations for gypsy traveller provision. It should also be noted that the proposed allocations would not accommodate the overall need and there is no clear quantifiable policy requirement to deliver this need. Accordingly, the approach is not considered to be robust.

4.3 What is clear is that plots are currently available in other areas of the district that have not been taken up by the Council for allocation (namely HELAA ref. HBI0028).

4.4 From our understanding there appears to be a clear absence of information regarding the requirements for pitch provision in localities and the site specific needs that are required to be met. We have not yet seen any evidence from the Council in respect of engagement with the gypsy traveller community in respect of a desire to be located on suburban residential sites – which we consider would contradict with the typical locations of gypsy traveller pitches which are located on rural sites on the periphery of rural settlements.

4.5 Due to the scale and form of the site and specific access names (larger HGVs for static homes and touring caravans) it makes it very difficult to design and suitable means of access that does not appear overly engineered, within a residential housing estate. No consideration appears to have been given to how this can be accommodated within such a site.

4.6 At this time, we consider it would not be appropriate to include such provision until further evidence has been provided on suitability of the approach, need in this specific location and suitability as part of housing allocation of this scale, with a single point of access.

4.7 On the basis of the above, we object to the proposed policy requirement.

### 5. Conclusion

5.1 Our client's land is ideally placed to be able to fulfil the sustainable expansion to the west of Loxwood and the much needed, identified housing within the north-eastern plan area. The site measures 57.334 hectares and can be considered as a strategic housing site, west of Loxwood, that would deliver a higher growth of housing within this village and would appear to be able to meet water neutrality requirements. This would also support the viability of the services and facilities in the northern villages. This could include a sustainable addition to the existing village of Loxwood, result in significant enhancements to its existing services and facilities, improved links along, and connectivity to the Wey & Arun Canal and provision of at least 825 homes.

**Change suggested by respondent:**

It is therefore recommended that the allocation of housing sites in Loxwood should be based on a higher growth scenario of at least 825 homes which should be delivered either through a Local Plan policy allocation or within an SPD, with a clear timetable of when the SPD will be produced by the Council. Site proposed.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sfb>  
Masterplan promotion document - <https://chichester.oc2.uk/a/sfc>

**Object**

**Document Element:** Policy A15 Loxwood

**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]

**Summary:**

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

**Full text:**

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

**Transport Overview**

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.

The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

**Deliverability of Key Infrastructure**

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

**Sustainable Transport Infrastructure & Measures**

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate

deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

#### Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

#### 1) Education

##### Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments,...'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

##### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

#### 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

### 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

### 4) Highways and Transport

#### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

#### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

#### A286 New Park Road / A286 St Pancras Road (Junction 7)

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

#### A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

#### A286 Northgate Gyratory

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

#### Fishbourne Road West / Appledram Lane South (Junction 11)

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

#### TEMPro Background Traffic Growth Comparisons

At section 10.2 of the main transport study a comparison is made of the TEMPro 7.2 growth rates used in the study for external traffic with new TEMPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPro 8 planning assumptions. Although for the purposes of this study TEMPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPro 7.2 with TEMPro 8.0 high growth scenario.

#### North of District Spatial Scenarios Testing

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but

not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

#### Neutral Month and Summer Month Comparison Technical Note

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

#### 5) Public Rights of Way (PRoW)

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere. It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

#### Change suggested by respondent:

- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>  
Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr Keith Woods [7921]

**Summary:**

The number of houses allocated to Loxwood should be revised to reflect an allocation of 125 houses as per the NP.

Whatever numbers are allocated no building work should commence until the required infrastructure work is scheduled with guaranteed delivery before any occupation of the homes.

**Full text:**

Loxwood PC have prepared a revised Neighbourhood Plan (NP) including provision of 126 homes plus 17 carried forward from the previous Made NP. This was developed in 2021 – 2022 in consultation with the parish and CDC. Due to CDC's lack of a 5 year housing supply there has been approval of additional speculative development of 91 houses.

The number of 126 houses was identified as the maximum that can be sustained in view of the infrastructure constraints impacting drainage, sewerage and water neutrality as well as the other obvious environmental impacts on wildlife, quality of life etc.

Recent speculative development of houses in Loxwood have resorted to a cesspit solution with daily collections of sewage waste. While this is intended to be a temporary solution the infrastructure provider (Southern Water) has no plans to upgrade the sewerage system.

Whatever number of houses are allocated to Loxwood none should be occupied until proper sewerage, drainage and water neutrality infrastructure has been scheduled with guaranteed delivery before occupation.

It seems that the increased numbers in the Local Plan are required to off-set a shortfall in numbers in the South of the district around Chichester. However, while growth in employment is projected in the south, none is expected in the north of the district and certainly none is provided for in the Water Neutrality Strategy. It is not sustainable to expect people to live in Loxwood and commute for work 25 miles away in Chichester.

Wherever Loxwood residents commute to work it is not possible using public transport. This is due to the lack of a viable regular bus service. While the plan suggests improvements to the bus service the reality is that bus services are being reduced throughout the country and it is not realistic to think Loxwood will be different. While the roads are reasonably safe for cyclists outside of the morning and evening 'rush hours' they are not safe for commuting. These limitations further constrain the viability of development in Loxwood.

**Change suggested by respondent:**

The number of houses allocated to Loxwood should be revised to reflect an allocation of 125 houses as per the NP.

Whatever numbers are allocated no building work should commence until the required infrastructure work is scheduled with guaranteed delivery before any occupation of the homes.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mrs Valerie Woods [7923]

**Summary:**

There has to be very careful consideration given to the allocation of 220 houses, with regard to the overwhelmed sewerage and the need for careful usage of water in the area.

**Full text:**

Loxwood Parish Council undertook a revised Neighbourhood Plan. It consulted on an estimation of 125 houses in 2021. Numbers advised by Chichester District Council. The Neighbourhood Plan could not proceed through all the stages as there was no Chichester Local Plan. The delay has been detrimental to the village as a speculative developer was able to build as there was no Chichester Local Plan. However, the sewerage system in Loxwood is overwhelmed and was identified in 2004 as requiring an upgrade. None has taken place. This speculative developer has what can be best described as a cess pit needing frequent emptying.

**Change suggested by respondent:**

Reduce the number of house allocation to 125.

Take account of 17 houses carried forward from the previous Made Neighbourhood Plan.

Recognise that the community believes that 126 houses is possible given the issues relating to sewerage and Water neutrality.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mr Richard Keates [7859]**Summary:**

Allocating 220 houses in addition to those on already allocated sites is not sustainable in rural Loxwood. Transport infrastructure is poor to non-existent; there is no sewerage capacity; insufficient schooling and healthcare facilities for the increased population; currently only one shop (a butcher's). This housing allocation is significantly higher than the 143 housing sites allocated in the Made / Revised Neighbourhood Plans submitted by the LPC. Villagers need to have confidence that our approved Village Plan is not meaningless and will deliver what we have voted for.

**Full text:**

Allocating 220 houses in addition to those on already allocated sites is not sustainable in rural Loxwood. Transport infrastructure is poor to non-existent (narrow country lanes with no realistic alternatives by public transport); there is no sewerage capacity (recent developments have reverted to cesspits - neither an environmentally sound nor modern solution); insufficient schooling and healthcare facilities for the increased population; currently only one shop (a butcher's). This housing allocation is significantly higher than the 143 housing sites allocated in the Made / Revised Neighbourhood Plans submitted by the LPC. Villagers need to have confidence that our approved Village Plan is not meaningless and will deliver what we have voted for.

**Change suggested by respondent:**

CDC must firmly reject the total housing target that has been imposed on it and not build further in the North area of the plan.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mr Richard Moseley [7938]**Summary:**

I object to the significant allocation of housing to Loxwood as development is in an area remote from employment and services, not well served by public transport, not within cycling distance of services and employment and will increase pressure on already overloaded utilities, particularly sewage.

**Full text:**

I object to the significant allocation of housing to Loxwood as development is in an area remote from employment and services, not well served by public transport, not within cycling distance of services and employment and will increase pressure on already overloaded utilities, particularly sewage.

**Change suggested by respondent:**

The housing allocation for Loxwood should be moved to locations better served by services, employment, public transport and available utilities.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mr Roger Newman [5488]**Summary:**

The plan for Loxwood is unsustainable given the local lack of employment, public transport and waste water disposal. There will be a total reliance on car journeys for work, leisure and living needs. For these reasons the increase of 220 houses is fundamentally flawed and unsustainable. This local plan demonstrates a lack of understanding of the environment in the far north of the district and needs revisiting for Loxwood and surrounding villages.

**Full text:**

The plan for Loxwood is unsustainable given the local lack of employment, public transport and waste water disposal. There will be a total reliance on car journeys for work, leisure and living needs. For these reasons the increase of 220 houses is fundamentally flawed and unsustainable. This local plan demonstrates a lack of understanding of the environment in the far north of the district and needs revisiting for Loxwood and surrounding villages.

**Change suggested by respondent:**

There needs to be reduction in the number of houses required in Loxwood back to the numbers stated in the neighbourhood plan which is currently held up in CDC.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None

**Object**

**Document Element:** Policy A15 Loxwood

**Respondent:** Mrs Alexandra Holloway [7941]

**Summary:**

Numbers of houses proposed for the Loxwood area is inappropriate due to:

- major lack of infrastructure
  - lack of employment opportunities
  - lack of transport links
  - the environmental impact
- and would be highly detrimental to the village leading to overdevelopment
- CDC have failed to consult with LPC

**Full text:**

There is insufficient infrastructure in Loxwood to support the increased number of houses proposed. There is no longer a village shop or post office, the plan incorrectly says that there is a reliable bus route when there really is not - there is inadequate transport services. The doctors and the school are at capacity with the existing numbers of residents and cannot handle more.

There is a major issue with lack of sewerage capacity as confirmed by Southern Water. Foul sewage has to be collected daily from the two newest developments in the village, Nursery Green and Stonewater, which is ridiculous! The system cannot handle more development. There are similar issues with waste water and grid capacity and the recent developments have put undue strain on the village which will worsen if these increased numbers of houses were to be built.

CDC seems to be unfairly targeting Loxwood without realising the serious infrastructure issues that already exist. CDC failed to consult Loxwood Parish Council about the increased numbers of houses proposed for the north of the district and have ignored the local plan submitted by LPC in 2018 and revised in 2020. This plan therefore also contradicts the Localism Act 2011 which devolves power to local areas.

Increased housing numbers in this area would only be possible by destroying areas of countryside affecting existing footpaths and routes which are heavily used and also impacting wildlife habitats. This is not acceptable in this day and age where the environment needs to be protected. The plans are not sensitive to the historic nature of the village and will lead to the village being overdeveloped

**Change suggested by respondent:**

The numbers of proposed houses for Loxwood needs to be heavily reduced and LPC need to be consulted

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object**

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr Glyn Woodage [6653]

**Summary:**

Loxwood is not suitable for a further escalation of development on this scale, due to the many sustainability issues. The village is not ideally located and is totally car dependent. All infrastructure in the village is historically weak and continues to be so. Development on this planned scale would destroy the villages character and vernacular, without a meaningful benefit to the area as a whole.

**Full text:**

The plan for Loxwood has not realistically assessed the villages suitability or capability to accommodate this huge increase in housing numbers and only refers to an already over subscribed health-centre as the main attribute. I don't believe that sustainability was seriously considered in reaching your numbers and aspirations of this scale. I need not remind you Loxwood does not currently have a village shop and lacks any major employment opportunities. Therefore only a car journey of not much under a minimum of 30 minutes each way, one hour in total is needed to facilitate this and if Crawley is your destination this can be doubled. The location of Loxwood is remote and requires using a transport method that is not aligned with the climate emergency on a road network that quite frankly is seriously lacking!

**Change suggested by respondent:**

The group of so called "North villages" once formed part of the Petworth district. Petworth has enormous potential to offer easily all of this housing requirement in a sensitive development to the South-west of the current town. The town, could be regenerated and provide all including the aging population of the area, with a great place to live, that absorbs most of the outlined pressures of a balanced solution.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None



**Object**

**Document Element:** Policy A15 Loxwood

**Respondent:** The Woodland Trust (Ms Bridget Fox, External Affairs South East) [7483]

**Summary:**

The broad site allocation lacks specific detail on its environmental impact, therefore we are unable to either support or object at this stage. We welcome point 5 requiring habitat protection.

**Full text:**

The broad site allocation lacks specific detail on its environmental impact, therefore we are unable to either support or object at this stage. We welcome point 5 requiring habitat protection. We request that any future allocation requires a site survey for ancient woodland and ancient & veteran trees, and that appropriate buffers are applied, before the number and layout of dwellings is agreed.

**Change suggested by respondent:**

We request that any future allocation requires a site survey for ancient woodland and ancient & veteran trees, and that appropriate buffers are applied, before the number and layout of dwellings is agreed.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object**

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr William CRofts [8019]

**Summary:**

CDC did not consult with LPC on revised housing numbers in the North of the district and although Government encourages parish councils to develop NP's, CDC ignored the NP submitted by LPC in 2018 and the revised NP in 2020 has not been able to progress due to water neutrality issues.

**Full text:**

Policy A15 is unworkable.

The Local Plan should comply with all other relevant requirements of the Planning and Compulsory Purchase Act, 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended. It does not.

The plan will not meet the CDC's Sustainability Appraisal report as when judged against other reasonable options, it does not help to achieve CDC's environmental, economic and social objectives through lack of infrastructure and sustainability and does not meet environmental requirements.

The plan is not consistent with National Policy and will NOT meet with the policies in the National Planning Policy Framework.

**Change suggested by respondent:**

This policy needs to be removed as it is not workable and if it were to proceed the damage to the historic village of Loxwood would be irreversible and terrible for the local residents both mentally and physically

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** CDC Response Letter - <https://chichester.oc2.uk/a/sqb>

**Object**

**Document Element:** Policy A15 Loxwood

**Respondent:** Miss Karin Jones [6559]

**Summary:**

The number of proposed additional houses for Loxwood is incredible! The village has already taken it's overloaded unfair share already and to want to add and develop a further 220 is abhorrent. There are NO facilities to support this influx of houses/people and is detrimental to the current residents

**Full text:**

A15 - Loxwood. The number of proposed additional houses for Loxwood is incredible! The village has already taken it's overloaded unfair share already and to want to add and develop a further 220 is abhorrent. There are NO facilities to support this influx of houses/people and is detrimental to the current residents.

**Change suggested by respondent:**

It needs to be revisited and this madness stop!

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mrs Anne Keates [7967]**Summary:**

Lack of consultation.  
 Overriding the the local neighbourhood plan, contrary to the devolving of powers to local areas (Localism Act 2011)  
 Minimal public transport  
 No village shop and indefinite delay on planned village shop  
 Sewage system does not support existing housing  
 Increased risk of flooding  
 Water neutrality issue exacerbated  
 Increased traffic on narrow country lanes  
 Existing social housing remaining unsold  
 Detrimental impact on rural nature of the village, scale of proposed development is not proportionate to the size of the village  
 Negative environmental impact on the countryside - ancient hedgerows, woodland borders, footpaths, bridleways and and protected species at risk.

LPC have already produced a Revised Neighbourhood Plan which allocates 126 houses plus 17 carried forward from the Made Neighbourhood Plan giving 143 houses. It has reached Regulation 14 consultation stage and is based upon the Preferred Approach Local Plan consultation. The residents of the Parish and Loxwood Parish Council have satisfied themselves through evidence gathered that 126 homes is a sustainable allocation given the constraints that exist.

**Full text:**

The question of legality cannot easily be determined by those without the necessary specific technical legal expertise. However it would seem that the local plan is not in line with the Localism Act 2011 where power was devolved to local areas. There has been a failure in consultation, a promised study in growth scenarios did not materialise. The local neighbourhood plan has been ignored and the concerns raised on sewerage issues caused by the current level of development in Loxwood and the surrounding villages disregarded. The Nursey Green and existing Stonewater developments are serviced by daily sewage collection tankers due to a lack of appropriate waster water infrastructure. As there are no plans to develop the infrastructure adding more houses will further stress an already over stressed system with an even higher risk of sewage overflow and more tanker traffic through the village. Building which requires waster water management of this type cannot be considered sustainable or environmentally sound. Loxwood cannot be construed as a service village. The village shop and post office closed in 2022 and the proposed shop development delayed due to the known water neutrality issues in the village. Transport links are minimal, the frequency of the buses and the journey duration do not support those needing to get to work. The local roads are not built to support the volume of traffic today, more houses will mean more traffic not just from Loxwood but from the surrounding villages. The Stonewater development did not take the rural character of the area into consideration and has had a detrimental impact on the essence of a countryside village with its scale and position. Additional development will further degrade the countryside and its local habitat putting ancient hedgerows, woodland borders, footpaths, bridleways and and protected species at risk. The requirement for specialist housing needs is questionable with the large Stonewater site already over catering for this as some plots remain unsold. Increased risk of flooding due to changes in watercourses caused by additional building. The Council itself recognises that this part of the plan area would not normally be identified for higher levels of growth, but instead of raising legitimate concerns on quotas with the government on the constraints in the district due to the A27, and the South Downs National Park, the council has chosen instead to put the burden onto Loxwood to justify why it should not be subject to development above and beyond what has been included and shared in a well thought out neighbourhood plan which was developed through a consultative process.

**Change suggested by respondent:**

Policy A15 should be removed and Policies H2 and H3 amended to reflect an allocation of 125 houses

**Legally compliant:** Yes**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mr William MacGeagh [5889]**Summary:**

The policy approach does not reflect an understanding and appreciation of the particular potential of the area. It leaves it vulnerable to inappropriate homogeneous large scale housing estate development that does little to broaden local housing choice and support economic / social life.

**Full text:**

The policy approach lets the northern part of the district down because it does not reflect an understanding and appreciation of the particular potential of the local area and its distinct social, environmental, economic and settlement characteristics including demographics.

The lack of a positive approach to the distinct nature of the north sub area leaves it vulnerable to inappropriate homogeneous large scale housing estate development that does little to broaden housing choice in the local area. Such development provision is evident at larger nearby centres such as Billingshurst in Horsham District.

Communities in Loxwood and the north of the district are ready to embrace opportunities and growth of a proportionate scale that serves to organically evolve and grow the settlements maximising support for local businesses, facilities and self reliant strong sustainable communities.

**Change suggested by respondent:**

A revised approach for Loxwood and the north of the plan area with a focus on self build and small - medium sized sites that embraces and reflects available local insights and information.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None

**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mrs Jan Carter [7992]**Summary:**

Plan does not comply with current and future government strategies, bear no relation to infrastructure of Loxwood ignoring lack of transport via public services, one bus per day, four days per week, limited employment, resulting in increase in car transport to work either to Guildford, Billingshurst, Horsham. 1 village school, GP practice at capacity no room for expansion. Lack of sewage capacity already resulting in private sewage for 2 new housing estates. Environment totally ignored, wildlife corridors destroyed, no protection of current wildlife habitats and degradation of existing bridleways and footpaths.

**Full text:**

Plan does not comply with current and future government strategies, bear no relation to infrastructure of Loxwood ignoring lack of transport via public services, one bus per day, four days per week, limited employment, resulting in increase in car transport to work either to Guildford, Billingshurst, Horsham. 1 village school, GP practice at capacity no room for expansion. Lack of sewage capacity already resulting in private sewage for 2 new housing estates. Environment totally ignored, wildlife corridors destroyed, no protection of current wildlife habitats and degradation of existing bridleways and footpaths

**Change suggested by respondent:**

Plan is totally unsuitable for Loxwood and should not expand the existing planned sites in the LDP.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mrs Helen Jewell [8004]**Summary:**

Loxwood does not have the infrastructure to support an increased population, already increased beyond the targets for housing agreed in the previous Neighbourhood Plan by recent additional developments. We no longer have a village shop or post office so infrastructure has deteriorated since that Plan was approved by the village.

Loxwood Parish Council has not been consulted.

The village looks North for most work shopping and recreation but congestion will significantly worsen as a consequence of Waverley Plans.

There is reason to be very concerned about the capacity of sewerage and surface water management contrary to statements by CDC.

**Full text:**

Loxwood does not have the infrastructure to support an increased population, already increased beyond the targets for housing agreed in the previous Neighbourhood Plan by recent additional developments. We no longer have a village shop or post office so infrastructure has deteriorated since that Plan was approved by the village.

Loxwood Parish Council has not been consulted.

The village looks North for most work shopping and recreation but congestion will significantly worsen as a consequence of Waverley Plans.

There is reason to be very concerned about the capacity of sewerage and surface water management contrary to statements by CDC.

**Change suggested by respondent:**

Specific budget provision needs to be made to rectify infrastructure weaknesses before development is considered

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None

**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mr David Carter [8005]**Summary:**

Plan totally ignores CDC's own comments re Loxwood with reference to impact on area if housing is increased including infrastructure, environment and site. Fails to address very limited - transport links, no shops/PO, employment opportunities requiring increased travel by car putting extra pressure upon one B road; 1 primary school with no room for expansion, as with a full Medical Practice. Serious current problems include no capacity for disposal of sewage and waste water for new housing. Totally ignores government legislation re preservation and development of environment for nature, wildlife and benefit to community and visitors.

**Full text:**

Plan totally ignores CDC's own comments re Loxwood with reference to impact on area if housing is increased including infrastructure, environment and site. Fails to address very limited - transport links, no shops/PO, employment opportunities requiring increased travel by car putting extra pressure upon one B road; 1 primary school with no room for expansion, as with a full Medical Practice. Serious current problems include no capacity for disposal of sewage and waste water for new housing. Totally ignores government legislation re preservation and development of environment for nature, wildlife and benefit to community and visitors.

**Change suggested by respondent:**

Loxwood Plans need to return to and adopt those proposed by the Parish Council. CDC should be working with the Parish Council to develop Loxwood in context to its current setting as an attraction and of benefit to the future not only for residents but in national and world terms for nature and wildlife. Currently has a wide range of wildlife covering the proposed area including bird life such as kites, buzzards, gold crest to protected species such as bats, badgers, dormice, amphibians to name but a few. CDC should be working with recognised groups such as CPRE, Woodland Trust, Wildlife Trusts, the Wey and Arun Canal to ensure the historical, physical and mental benefits can be appreciated and valued by residents and visitors alike for the future, not destroyed. the footpaths and bridleways are well used by individuals, walking groups, dog walkers, cyclists on a strong daily basis. The proposed housing would destroy this completely.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mr Graham Tarrant [8007]**Summary:**

Policy A15 is misleading/incorrect - Loxwood is no longer a service village by your own definition. The bus service is merely a box-ticking exercise, the time table ensures it is of no use for main employment areas of Horsham or Guildford. There is nothing in A15 to increase capacity of school and health centre, which are both currently full. Existing sewage and waste water problems have been ignored by CDC on recent Loxwood developments and the wording in A15 is nowhere near strong enough to ensure this is not glossed over again going forward.

**Full text:**

Policy A15 is misleading/incorrect - Loxwood is no longer a service village by your own definition. The bus service is merely a box-ticking exercise, the time table ensures it is of no use for main employment areas of Horsham or Guildford. There is nothing in A15 to increase capacity of school and health centre, which are both currently full. Existing sewage and waste water problems have been ignored by CDC on recent Loxwood developments and the wording in A15 is nowhere near strong enough to ensure this is not glossed over again going forward.

**Change suggested by respondent:**

The plan needs to recognise that Loxwood is not a suitable neighbourhood for an additional 220 dwellings. The plan needs to recognise the wishes of the 2020 Loxwood Neighbourhood plan. The plan needs to recognise that resolving the EXISTING serious capacity problems of sewage and waste water MUST be a pre-cursor to ANY further development. The current statements in A15 are far too "wishy-washy".

**Legally compliant:** No**Sound:** No**Comply with duty:** Yes**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mrs Diana Vettese [8006]

**Summary:**

The village has already been over developed with lots of new housing without the necessary infrastructure. We were promised a local shop with Nursery Green, this never happened. The school hasn't been improved - there is limited public transport. The road through our village is getting more and more busy with regular accidents at the junction of station road. Our precious wildlife and ancient woodland will be put at even more risk and I can't see any benefit to the local community especially as the plan contradicts the localist Act 2011 devolving power to local areas.

**Full text:**

The plan will not meet the CDC's objectives due to Loxwood's lack of infrastructure. There is not the necessary infrastructure to support the number of houses that have been recently built and these existing developments have already created problems in the village with sewage, lack of grid capacity with powercuts. Our post office and local shop recently closed. Public transports in Loxwood is very poor and there is very limited employment options locally. The lack of water capacity in our area has been highlighted by Natural England and Southern water. Also the CDC did not consult with the LPC on the revised housing numbers and the revised Neighbourhood Plan from 2020 has not been able to go ahead because of water neutrality issues. Building works for future developments could increase the risk of floods in the village. The plan would have a devastating effect on our countryside, destroy ancient woodland and the wildlife it supports including protected species eg Barbestelle bats, doormice and may other species.

**Change suggested by respondent:**

Loxwood has already has 91 houses currently in development and any further development would have a huge negative impact on the village which doesn't have the necessary infrastructure.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr Marco Vettese [8008]

**Summary:**

The CDC did not consult the LPC on revised housing numbers and the allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood for the following reasons:  
- we don't have the transport infrastructure; the sewerage system is already at capacity; our local PO office has recently closed and we have no shops; the school is not big enough to support the number of houses proposed; this is a rural community and the development will put our wildlife at risk and destroy ancient woodlands and affect our bridalways and footpaths.

**Full text:**

The CDC did not consult the LPC on revised housing numbers and the allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood for the following reasons:  
- we don't have the transport infrastructure; the sewerage system is already at capacity; our local PO office has recently closed and we have no shops; the school is not big enough to support the number of houses proposed; this is a rural community and the development will put our wildlife at risk and destroy ancient woodlands and affect our bridalways and footpaths.

For the reasons listed about the plan does not adhere to the CDCs environmental, economic and social objectives in terms of infrastructure and environmental requirements. The CDC did not consult with the Loxwood Parish Council on revised housing numbers and ignored the Neighbourhood plan submitted by the LPC in 2018 and the revised Neighbourhood plan in 2020 hasn't been able to progress due to water neutrality issues. The local plan contradicts the Localism Act of 2011 and needs to take into account the government legislation around the Wildlife and Countryside Act 1981 and other legislation for conservation of species and habitat. All these controventions go to show how the this plan totally inappropriate for our village. Our voices are being sytematically ignored by CDC. Loxwood is a rural village and the plan will negatively impact the residents and community and the wildlife that surrounds it.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Richard Badman [7265]

**Summary:**

The plan as it relates to Loxwood is not sound due to the following reasons:

- lack of transport, only one bus a day and that is not at a convenient time
- the plan would result in a massive increase in vehicles on local roads which can only just cope now. Bear in mind that on the road into Guildford there are plans to build 1700+ house at Dunsfold
- currently no village shop
- primary school and doctors surgery not able to cope with additional users

**Full text:**

The plan as it relates to Loxwood is not sound due to the following reasons

- lack of transport, only one bus a day and that is not at a convenient time
- the plan would result in a massive increase in vehicles on local roads which can only just cope now. Bear in mind that on the road into Guildford there are plans to build 1700+ house at Dunsfold
- currently no village shop
- primary school and doctors surgery not ablet o cope with additional users

**Change suggested by respondent:**

Much smaller increase in proposed new houses, bear in mind that recently planning permission has already been granted for 100 +/- new houses which are not included in plans proposals

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Bruce Frost [7339]

**Summary:**

My wife and I strongly object to the building of 220 more houses in Loxwood due to the incapacity of the drainage system in the village which would be totally inadequate to cope with any more building houses. We have had numerous drainage problems since the existing new houses have been built in Loxwood.

We are currently dealing with a serious raw sewage situation which flowed and covered our garden, causing yet more distress.

Please check if you need to with Southern Water who constantly tell us that the sewers and drainage are not fit for any more housing.

**Full text:**

My wife and I strongly object to the building of 220 more houses in Loxwood due to the incapacity of the drainage system in the village which would be totally inadequate to cope with any more building houses. We have had numerous drainage problems since the existing new houses have been built in Loxwood.

We are currently dealing with a serious raw sewage situation which flowed and covered our garden, causing yet more distress.

Please check if you need to with Southern Water who constantly tell us that the sewers and drainage are not fit for any more housing.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Horsham District Council (Norman Kwan, Senior Neighbourhood Planning Officer) [8126]

**Summary:**

Policy not justified as stands, effectiveness could be improved. Given limited facilities available / to be provided as part of Loxwood allocation, it is considered new residents are likely to be reliant on at least some key facilities in Billingshurst (GP surgery, railway station (and car park), The Weald secondary school and sixth form, library and retail and community facilities, including leisure centre). Within Horsham District, there are potential proposals for strategic scale extensions to Billingshurst/new settlements relatively close to Billingshurst. Whilst no decisions made with respect to local plan, housing growth delivered through own local plan will create potential impacts on existing infrastructure already under significant pressure. Require clear evidence that potential cumulative impacts on settlements in HDC have been considered as part of proposed allocations. Would ask that CDC works collaboratively with HDC and other stakeholders to ensure future pressures on infrastructure in Horsham District is appropriately addressed.

**Full text:**

Thank you for consulting Horsham District Council on the Chichester Proposed Submission Local Plan 2021-2039. We are grateful for the opportunity to be able to comment on your emerging plan. Overall, we consider that the plan has positively sought to balance the provision of future needs with other wider objectives in a manner that contributes to achieving sustainable development. I would also take the opportunity to reaffirm Horsham District Council's (HDC's) commitment to continued dialogue under the Duty to Cooperate and joint working between our two councils. We have a number of comments on the Proposed Submission Chichester Local Plan 2021 to 2039 to make on individual policies which we have set out below:

Policy S1 Spatial Development Strategy

We support this policy in principle, but consider it is not justified as stands. We note the spatial distribution in the plan period is split into three areas: East – West Corridor, the Manhood Peninsula, and North Plan area (which is the only part of Chichester district which directly adjoins Horsham district). HDC acknowledges Chichester District Council's position that it is not able to meet its entire identified local housing need of 638 dwellings per annum, given the constraints associated with the required upgrades to the strategic road network in order to facilitate growth, potential environmental constraints and wider infrastructure restrictions. It is understood that National Highways requires a cap on growth due to the limited capacity of the

A27. The proposed housing supply target is therefore 575 dwellings per annum.

HDC acknowledges and welcomes that significant effort has been put into identifying development capacity in a way that reflects the principle of positive planning. Nevertheless, the NPPF and PPG set a high bar for 'leaving no stone unturned' in respect of meeting development needs. We support that planned growth is directed to sustainable locations where access to local services and access to transport links are easier to access than remote rural areas. It is acknowledged Chichester City is the most populous settlement in the district as well as being most sustainable. We support that growth and future development should be focussed in the East-West Corridor, and in particular in or close to the City, first and foremost. We also acknowledge wider infrastructure deficiencies will need to be addressed in strategic locations before they can accommodate more growth.

We support your continued dialogue with National Highways to support improvements to the strategic road network and note a Statement of Common Ground (SoCG) will be published and updated as part of a continuous dialogue with National Highways. The SoCG is important as part of the justification for a lower housing supply figure and should transparently demonstrate why the constraints on the A27 will not allow higher growth in the East West corridor, in order to evidence that maximum housing needs have been achieved in the City and East West Corridor. This evidence is needed for HDC to inform its own DtC position with Chichester District Council (CDC).

Chichester District is planning below the standard methodology housing target and has therefore asked HDC if it can accommodate some of Chichester's unmet housing need. HDC has confirmed that we are not in a position to accommodate Chichester's unmet development needs because of our own water neutrality constraint. Furthermore, the primary housing market for Horsham District is the Northern West Sussex HMA, whose development needs are substantially driven by the Gatwick sub-region, and it is this HMA that would be prioritised with respect to meeting unmet development needs.

As a partner in the Sussex North Water Neutrality grouping also impacted by this constraint, CDC jointly owns the relevant evidence, and our two authorities share an ongoing commitment to work on this as our Duty to Cooperate dialogue continues. As ever, the latest position with regards to Water Neutrality and the impact on the delivery of housing and other development needs can be set out in a Statement of Common Ground (SoCG) between our two Councils.

#### Policy NE16 Water Management and Water Quality

We support this policy which is clear in its encouragement of efficient use of water as part of good management framework.

#### Policy NE17 Water Neutrality

Water neutrality is a significant issue affecting both our districts. Horsham District Council supports this policy which is derived from the joint work undertaken by Chichester District Council, Horsham District Council and Crawley Borough Council. We look forward to continued working with CDC on the development of the implementation scheme, in order to deliver the JBA Water Neutrality Assessment study. This will ensure all new development is in conformity with the Habitat Regulations and can demonstrate water neutrality.

#### Policy H1 Meeting Housing Needs

As outlined earlier in this response, we acknowledge that land supply in Chichester is constrained, and that CDC meeting the full housing requirement within its administrative boundary during the plan period up to 2039 would be challenging. Horsham District is not however in a position to accommodate any of Chichester District's unmet housing need because of water neutrality and, looking forward, the need to prioritise meeting unmet needs within our primary housing market: the Northern West Sussex HMA.

#### Policy H2 Strategic Locations/Allocations 2021 -2039

A significant proportion of CDC's housing supply will be delivered through strategic allocations. Loxwood (220 dwellings) is identified as a strategic allocation and will come forward through the local plan process, with some allocations anticipated to be delivered through local neighbourhood plans. Given the challenges that face Neighbourhood Planning groups in the preparation and delivery of Neighbourhood Plans, (which can potentially delay the delivery of these allocations), we support the identification of strategic sites in the Local Plan, programmed for delivery earlier in the plan period.

As the delivery of strategic allocations requires significant infrastructure planning, including cross-boundary issues relating to the road network, education, healthcare and community facilities, Horsham District Council welcomes continued dialogue with the relevant stakeholders, to ensure development at strategic locations such as Loxwood are delivered in a timely manner and adhere to sustainable development principles. We have some specific concerns relating to strategic allocation policy A15: Loxwood which we have set out under that policy.

#### Policy H11 Meeting Gypsies, Travellers and Travelling Showpeople's Need.

We note your position and your requirement to provide a number of pitches and plots for the travelling community during plan period. We support your policy position for intensification of existing pitches. Horsham District can't at this point in time accommodate any of CDC's unmet Gypsy, Traveller and Travelling Show people requirement as we are required to first address our own shortfall, and our evidence demonstrates that this alone will be challenging.

We have a body of evidence to support our position and we will continue to share our evidence with you as our Duty to Cooperate dialogue continues over the coming months. As ever, the latest position regarding Gypsy, Traveller and Travelling Showpeople will be set out in the Duty to Cooperate Statement of Common Ground between our two Councils.

#### Policy A15 Loxwood

We support this policy as it will contribute to meeting Chichester District's unmet housing need, but consider it is not justified as stands and that its effectiveness could be improved. The five villages in the north of the Plan area (Kirdford, Wisborough Green, Loxwood, Ifold and Plaistow) are classified as Service Villages in the emerging Chichester Local Plan. They provide a reasonable range of basic facilities (e.g. primary school, convenience store and post office) to meet the everyday needs of local residents, or are villages that provide fewer of these facilities but that have reasonable access to them in nearby settlements. Loxwood is the strategic site identified to accommodate 220 dwellings over the plan period.

The nearby settlement of Billingshurst, in Horsham District, is considered to be the nearest main settlement to the villages identified above. Given the limited facilities available / or to be provided as part of the Loxwood allocation, it is considered that new residents are likely to be reliant at least some key facilities in Billingshurst, potentially including the GP surgery, the railway station (and rail user car park), The Weald secondary school and sixth form, the library and the retail and community facilities, including the leisure centre. Within Horsham District, there are potential proposals for strategic scale extensions to Billingshurst / new settlements relatively close to Billingshurst. Whilst no decisions have been made with respect to our local plan, housing growth delivered through our own local plan will create potential impacts on existing infrastructure which is already under significant pressure. We therefore require clear evidence that potential cumulative impacts on settlements in HDC have been considered as part of the proposed allocations.

We would ask that CDC works collaboratively with HDC and other stakeholders to ensure future pressures on infrastructure in Horsham District is appropriately addressed. Consequently, we seek further clarification in Policy A15: Loxwood to emphasise the importance of collaborative working between stakeholders to mitigate against the potential cumulative impact of development.

I do hope these comments are helpful. I would like to emphasise that they are made in anticipation of further constructive dialogue between our authorities, and with an expectation that matters on which we have flagged concern can be readily addressed, and quite possibly eliminated through our Duty to Cooperate discussions. Should you require any further detail or information in regard to this response please don't hesitate to contact a member of my Strategic Planning team.

**Change suggested by respondent:**

Seek further clarification in Policy A15: Loxwood to emphasise importance of collaborative working between stakeholders to mitigate against the potential cumulative impact of development.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC Reg 19 Written Representation (16 March 2023) Redacted - <https://chichester.oc2.uk/a/shc>

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr Adrian Morris [8096]

**Summary:**

I concur fully with all the concerns about policy A15 that have been raised by Loxwood Parish Council.

In particular, given that Loxwood already has 2 housing developments relying on holding tanks for the discharge of sewage, and also that Southern Water have no plans to upgrade the sewerage system serving Loxwood, no further new housing should be planned for Loxwood until the matter is resolved. Additional housing would only exacerbate what is already an unsustainable situation.

**Full text:**

I concur fully with all the concerns about policy A15 that have been raised by Loxwood Parish Council.

In particular, given that Loxwood already has 2 housing developments relying on holding tanks for the discharge of sewage, and also that Southern Water have no plans to upgrade the sewerage system serving Loxwood, no further new housing should be planned for Loxwood until the matter is resolved. Additional housing would only exacerbate what is already an unsustainable situation.

**Change suggested by respondent:**

No further housing should be allocated to Loxwood until Southern Water have sufficiently upgraded the sewerage capacity.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

The information available in the consultation documents does not seem to define the area and as such, does not enable SWT to give effective feedback on the impacts on biodiversity from development at this scale in this broad location. We do note that that supporting policy wording requires impacts to biodiversity and protected sites to be avoided, and the delivery of Biodiversity Net Gain, in line with section 174 on the NPPF 2021.

However, we highlight that such a broad allocation policy does not enable important features that maybe present to be captured, and as such attention to this should be considered when the DPD allocation document is produced.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>



## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Seaward Properties Ltd [7119]

**Agent:** Smith Simmons Partners (Paul White) [7650]

**Summary:**

We request further clarification of the 220 dwelling allocation at Loxwood in policy A15 to confirm the allocation is fixed as a minimum figure and will not be affected by any pending applications and appeals for the post January 2023 period.

**Full text:**

See attached representation.

**Change suggested by respondent:**

The text should be amended to state 'Land will be allocated for development in the revised Loxwood Neighbourhood Plan or Site Allocations DPD for a minimum of 220 dwellings and supporting facilities and infrastructure. This would provide the plan with more flexibility in the event the parish decides not to proceed with a Neighbourhood Plan review.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Seawrd Reg 19 - <https://chichester.oc2.uk/a/sfm>

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr Tim Swann [7917]

**Summary:**

CDC have not consulted on revised housing numbers in North of the district-it quote the restrictions of the A27 which prevents the southern development however the A281 is a bigger constraint which will also have Dunsfold adding pressure.

Allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood-it a huge Percentage increase and will destroy the village CDC Sustainability Appraisal is weak in its justification for allocation of 220 houses

There is no viable bus, sewerage capacity, school capacity or useful shops to support large increase in housing.

LPC have spent time and effort to create a Revised Neighbourhood Plan which allocates 126 houses plus 17 carried forward from the Made Neighbourhood Plan giving 143 houses. It has reached Regulation 14 consultation stage and is based upon the Preferred Approach Local Plan consultation. The residents of the Parish and Loxwood Parish Council have satisfied themselves through evidence gathered that 126 homes is a sustainable allocation given the constraints that exist-it should not be ignored due to water neutrality issues.

**Full text:**

CDC have not consulted on revised housing numbers in North of the district-it quote the restrictions of the A27 which prevents the southern development however the A281 is a bigger constraint which will also have Dunsfold adding pressure.

Allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood-it a huge Percentage increase and will destroy the village

CDC Sustainability Appraisal is weak in its justification for allocation of 220 houses

There is no viable bus, sewerage capacity, school capacity or useful shops to support large increase in housing

**Change suggested by respondent:**

Policy A15 should be removed and Policies H2 and H3 amended to reflect a realistic allocation of 125 houses which is still generous compared to other local area with better services.

Loxwood should not be deemed to be a strategic location-it is a small rural village

**Legally compliant:** No

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mrs Claire Hume [7937]

**Summary:**

The village of Loxwood does not currently support residents with the current lack of infrastructure. Therefore the proposed 220 plus homes are not justified without a local shop, transport links and for schools and doctors to provide the service. Both schools and doctors are over subscribed. The drainage is an issue. To add to this with additional homes would not benefit current residents or new.

**Full text:**

The village of Loxwood does not currently support residents with the current lack of infrastructure. Therefore the proposed 220 plus homes are not justified without a local shop, transport links and for schools and doctors to provide the service. Both schools and doctors are over subscribed. The drainage is an issue. To add to this with additional homes would not benefit current residents or new.

**Change suggested by respondent:**

For the proposals to be dropped. Strengthen the infrastructure first

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object**

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr Daniel Kuszel [7016]

**Summary:**

Adding an additional 220 homes to Loxwood is not sustainable. This is a rural location with absolutely nothing by way of public transport. The village does not even have a shop at the moment.

The village has dutifully supported enlargement through its now 2 Neighbourhood Plans, and now you want to turn the village in to a small town by making the village take an additional 220 dwellings. The sewage system cannot cope at the moment let alone adding hundreds more.

**Full text:**

Adding an additional 220 homes to Loxwood is not sustainable. This is a rural location with absolutely nothing by way of public transport. The village does not even have a shop at the moment.

The village has dutifully supported enlargement through its now 2 Neighbourhood Plans, and now you want to turn the village in to a small town by making the village take an additional 220 dwellings. The sewage system cannot cope at the moment let alone adding hundreds more.

**Change suggested by respondent:**

These additional homes need to be cited close or in an urban area where there are sustainable transport options available and a functioning sewage system which overflows whenever there is heavy rain. If additional houses are required the total should be massively [reduced]. Also the date from which new applications count towards numbers should include the 50 council/housing association properties built off Pond Copse Lane. Scandalous that these have not been included in any housing numbers

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** None

**Object**

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr John Seymour [8066]

**Summary:**

Plan does not comply with current planning regulations; meet CDC's own Sustainability Appraisal report in respect of infrastructure or environmental considerations; enable delivery of sustainable development; and was not based on any consultation with LPC.

**Full text:**

Plan does not comply with current planning regulations; meet CDC's own Sustainability Appraisal report in respect of infrastructure or environmental considerations; enable delivery of sustainable development; and was not based on any consultation with LPC.

**Change suggested by respondent:**

No further building of houses in Loxwood with out appropriate consideration of the impact on the local community, availability of appropriate infrastructure, shopping facilities, public transport, road traffic volumes, impact on flood risk with in the village, sewer capacity,views of the majority of Loxwood residents

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Object****Document Element:** Policy A15 Loxwood**Respondent:** Revd John Bundock [7975]**Summary:**

Object to 220 new dwellings in Loxwood :  
 Environmental depletion through loss of habitat for wildlife including Skylarks and other ground-nesting birds, Barn & Tawney Owls & bats that hunt over the fields, the area where a Cuckoo is active each year;  
 Very limited public transport;  
 Inadequate parking at nearest station: Billingshurst;  
 Inadequate roads;  
 Increasing volume of traffic from any significant housing development;  
 Lack of fresh water capacity & ability of public sewer to cope with additional capacity;  
 Create suburban development that would change the character of the village;  
 Loss of footpaths/public rights of way.

**Full text:**

Policy A15 10.66-10.77 Object to 220 new dwellings in Loxwood :  
 Environmental depletion through loss of habitat for wildlife including Skylarks and other ground-nesting birds, Barn & Tawney Owls & bats that hunt over the fields, the area where a Cuckoo is active each year.  
 Very limited public transport.  
 Inadequate parking at nearest station : Billingshurst.  
 Inadequate roads from.  
 Increasing volume of traffic from any significant housing development.  
 Lack of fresh water capacity & ability of public sewer to cope with additional capacity.  
 Create suburban development that would change th character of the village  
 Loss of footpaths/public rights of way

**Change suggested by respondent:**

Keep to existing building line to west of main road through village of Loxwood. Therefore no development on fields - HL X0016.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mr Tim Bennett [8020]**Summary:**

This proposal for additional housing in Loxwood is obscene. Adding this number of houses to an otherwise quiet, rural country village will desecrate our local community  
 - Lack if infrastructure will not support this level of development  
 - Roads, sewerage, water, power supply are all insufficient as they are currently  
 - There is no public transport. 1 bus per day, on only 4 days per week is NOT a "service"  
 - Flood risk. My house was flooded due to excess run off caused by over development

**Full text:**

This proposal for additional housing in Loxwood is obscene. Adding this number of houses to an otherwsie quiet, rural country village will desecrate our local community  
 - Lack if infrastructure will not support this level of development  
 - Roads, sewerage, water, power supply are all insufficient as they are currently  
 - There is no public transport. 1 bus per day, on only 4 days per week is NOT a "service"  
 - Flood risk. My house was flooded due to excess run off caused by over development

**Change suggested by respondent:**

Stop targetting of Loxwood by WSCC and CDCC. It seems like the village is constantly under siege at the moment from developers

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mayday! Action Group (John Garrett) [7163]**Summary:**

Yet another example of a village being called a Service Village, when actually the services available to the general populace are minimal.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.
14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Object****Document Element:** Policy A15 Loxwood**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]**Summary:**

The Environment Agency are due to complete a property level resilience scheme for Loxwood in late 2023. This is a community that have suffered property flooding several times in the last 20 years. Policy requirement 8 is therefore of particular importance.

We are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available.

**Full text:**

The Environment Agency are due to complete a property level resilience scheme for Loxwood in late 2023. This is a community that have suffered property flooding several times in the last 20 years. Policy requirement 8 is therefore of particular importance, and we would recommend that there are small additions to this requirement in the policy:

"...and that development will be safe for its lifetime and not increase flood risk elsewhere, taking account of risks from all sources of flooding and climate change impacts, as per..."

As for all site allocations, we are supportive of the policy requirement for suitable phasing to ensure adequate wastewater treatment capacity is available (requirement 9). Developers will need to consult with Southern Water to understand if there is capacity for further connections to the Loxwood WwTW as the works may need improvements to reduce spills from storm overflows.

**Change suggested by respondent:**

Addition to requirement 8 "...and that development will be safe for its lifetime and not increase flood risk elsewhere, taking account of risks from all sources of flooding and climate change impacts, as per..."

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mr Paul Hounsham [8027]**Summary:**

Loxwood is not a service village. It does not have a village shop or public transport links to the surrounding villages/towns unless you count the one bus per day for 4 days of the week!

CDC did not consult on revised housing numbers in North of the district which shows the Chichester locals are trying to pass the problem up the road.

Allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood

Transport infrastructure non existent, lack of sewerage capacity, school, doctors, shops do not have capacity.

**Full text:**

Loxwood is not a service village. It does not have a village shop or public transport links to the surrounding villages/towns unless you count the one bus per day for 4 days of the week!

CDC did not consult on revised housing numbers in North of the district which shows the Chichester locals are trying to pass the problem up the road.

Allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood

Transport infrastructure non existent, lack of sewerage capacity, school, doctors, shops do not have capacity.

**Change suggested by respondent:**

Upgrades to the waste water and sewage need to occur before more houses are even considered.

A well stocked village shop needs to exist.

Public transport needs to be available and practical.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None

**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mr Stuart Lockwood [8029]**Summary:**

The proposed allocation of dwellings for the Loxwood Ward are disproportionate in scale to the other larger areas mentioned. ie: 220 dwellings for Loxwood and 270 for Chichester City ??

The infrastructure here in the Loxwood ward is barely able to cope with the existing houses requirements in relation to public transport, schools places, doctors surgeries etc... Further development in the area is unsustainable and therefore should be reconsidered. There are other applications too for large scale housing developments at Crouchlands Farm with 600 dwellings.

**Full text:**

The proposed allocation of dwellings for the Loxwood Ward are disproportionate in scale to the other larger areas mentioned. ie: 220 dwellings for Loxwood and 270 for Chichester City ??

The infrastructure here in the Loxwood ward is barely able to cope with the existing houses requirements in relation to public transport, schools places, doctors surgeries etc... Further development in the area is unsustainable and therefore should be reconsidered. There are other applications too for large scale housing developments at Crouchlands Farm with 600 dwellings.

**Change suggested by respondent:**

Reduce the allocated numbers of proposed dwellings in this rural, isolated area to prevent permanent disfigurement of the area.

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mrs Shelley Woodage [8042]**Summary:**

The proposed scale on top of the existing commitments (both completed and in progress) will ruin the village and create a dormitory car dependent settlement. The village is not equipped or enabled to facilitate these additional houses and lacks scalable infrastructure to cope with the ensuing demands such scale will bring. Loxwood is comparatively a remote location and is totally unsuitable for this huge increase.

Other locations would better absorb these numbers without the environmental consequences and associated climate emergency, which is much highlighted in your plan! Valuable and productive farmland loss, should also be considered here as an issue.

**Full text:**

The proposed scale on top of the existing commitments (both completed and in progress) will ruin the village and create a dormitory car dependent settlement. The village is not equipped or enabled to facilitate these additional houses and lacks scalable infrastructure to cope with the ensuing demands such scale will bring. Loxwood is comparatively a remote location and is totally unsuitable for this huge increase.

Other locations would better absorb these numbers without the environmental consequences and associated climate emergency, which is much highlighted in your plan! Valuable and productive farmland loss, should also be considered here as an issue.

**Change suggested by respondent:**

Look at a scheme which minimises car use and maximizes the available of employment, infrastructure, amenities and proximity to other major conurbations. Consider although outside your remit, Petworth, as a huge historically underdeveloped opportunity which cannot be ignored when reviewing this area.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Alison Anderson [7027]

**Summary:**

Future development unsustainable due to lack of infrastructure including shops, bus service, schools, GP surgeries; lack of employment opportunities; hazardous roads; sewage spills; and threats to wildlife.

**Full text:**

I write to object to the Chichester Local Plan published in February 2023 for public consultation.

There are a number of points that I feel have not been addressed correctly and which concern Loxwood in particular. In general, I object to the fact that so many new houses have to be built in and around this area. We do suffer from the fact that large land owners occupy much of the mid-West Sussex landscape and the South Downs National Park occupies this as well, making development opportunities restricted to north and south. I am a regular visitor to Chichester and am appalled at the number of new homes being built there making the roads impossible at key times.

Loxwood has no infrastructure for further development other than that proposed in the local Neighbourhood Plan. There is not a shop other than one, fundamentally a butcher's shop and very 'high end' and is too expensive for regular purchases of staple goods.

There are no buses other than one bus servicing Godalming Sixth Form College which terminates in Guildford. There is one bus returning.

There are limited employment facilities in Loxwood and the surrounding villages. People living here would travel to work in cars making an already-busy B road more dangerous than it is. There was a RTA at the junction of Station Road with the High Street yesterday (26th March 2023) necessitating visits by police cars and ambulances.

Both the local primary school and the doctors' surgery have declared that they are at full capacity.

The problem of sewage spewing on to the road from new developments has been witnessed by me with raw sewage spilling on to the main road out of an outlet drain.

Regarding wildlife, the countryside around Loxwood supports plants such as orchids and bluebells and other wild flowers, and bats and newts and kingfishers can be seen here. Regarding the development proposed on farmland, there is an owl box fitted in a tree bordering one of the footpaths, but hidden from view. This has been supporting a family of barn owls for the 4 years it has been in situ. They are nesting there now and thrive. "Wild barn owls are given the highest level of legal protection possible under the 1981 Wildlife and Countryside Act. Penalties that can be imposed for criminal offences in respect of a single bird, nest or egg contrary to the Wildlife and Countryside Act 1981 are an unlimited fine, up to six months imprisonment or both."

There are so many other objections to over-development that they are too numerous to mention here and are well documented by other replies, I am sure. The area is becoming so crowded in terms of road use, water use and I feel strongly that more development is simply not sustainable.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sjk>

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mrs T P Swann [7253]

**Summary:**

How are families without their own transport able to get to and from Horsham or Guildford for work? There are no employment opportunities, the surgery is at capacity, flooding is already an issue, power cuts are increasing and there is a lack of water capacity and waste water plans.

This is a beautiful rural area, full of wildlife and green space - this needs protecting rather than building on. The families who have recently moved in with children have voiced feeling cut off and isolated with no access to the facilities they need as they do not have cars.

LPC have spent time and effort to create a Revised Neighbourhood Plan which allocates 126 houses plus 17 carried forward from the Made Neighbourhood Plan giving 143 houses. It has reached Regulation 14 consultation stage and is based upon the Preferred Approach Local Plan consultation. The residents of the Parish and Loxwood Parish Council have satisfied themselves through evidence gathered that 126 homes is a sustainable allocation given the constraints that exist and it should not be ignored due to water neutrality issues, let alone the transport and services issues.

This protects the village and the community and reflects the importance of Neighborhood plans for Loxwood and the rest of the country - Loxwood is a historic small village with limited services and it should be understood and respected as such.

**Full text:**

Loxwood is not capable of sustaining a further 220 houses due to its lack of infrastructure. Families who have recently been moved into the new housing development are now walking over 4 miles to the next village (and back again along a dangerous road without a pavement), Rudgwick, in order to buy food from the Co-op as they do not have access to a car. Loxwood village does not have a general shop, only a highly priced butcher. The bus service is not viable for families who have children in school and who need to return within a reasonable amount of time to collect them - it is not servicable for work purposes.

**Change suggested by respondent:**

Policy A15 should be removed and Policies H2 and H3 amended to reflect a realistic allocation of 125 houses which is still generous compared to other local area with better services.

Loxwood should not be deemed to be a strategic location as it is a small rural village

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Laura Crofts [8205]

**Summary:**

[RECEIVED LATE]

Considers that the provision of additional housing in Loxwood is unacceptable for a variety of reasons:

- Justification for additional housing is inadequate and tenuous; no need for affordable housing;
- Loxwood ceases to qualify as a service village -inadequate local infrastructure to support sustainable development;
- Inadequate utilities including sewerage, wastewater and water capacity.
- Transport Statement is inaccurate - inadequate transport links, limited capacity of minor road network, and no cycle routes currently;
- Lack of consultation shows inability to cooperate with the village;
- Detrimental impact on village character and surrounding landscape including heritage assets and ancient woodland;
- Detrimental ecological impact;
- Lack of due process/compliance with planning legislation and NPPF



**Full text:**

[RECEIVED LATE]

I am writing to object to parts of Chichester District Council's local plan which affects the village I live in. My objections relate particularly to Policy A15 and sections 10.66 to 10.77, in Chapter 10 Strategic and Area Based Policies of the plan. this policy would have a damaging impact on the village of Loxwood.

Chichester's Sustainability Appraisal justifies 220 more houses on top of the 91 already in development or being built This means 311 more houses not 220. The justification is inadequate and the argument for the figure is tenuous at best. Chichester's own Sustainability Appraisal report highlights the limited opportunity for growth in Loxwood and the negative impact it would have. The plan will not meet Chichester's Sustainability Appraisal report and it does not help to meet Chichester District councils environmental, economic or social objectives due to a lack of infrastructure a lack of sustainability and being an inappropriate area to redevelop. it does not meet the environmental requirements either.

Chichester have not consulted with Loxwood residents or the Parish council and have shown a lack of due process, an inability to co operate with the village. As such I do not believe it is legally compliant. The local plan does not comply with the Planning and Compulsory Purchase Act 2004 or the Town and Country Planning Regulations 2012. The plan will not enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

Loxwood has ceased to qualify as a service village and is not in a sustainable location for more development. The village is already overdeveloped and is straining under the pressure of additional houses. There is no village shop. The post office closed in August 2022 and the village shop closed in September 2022. There is a butchers but it does not provide basic necessities required from a village shop. The local school and the local village surgery are both at capacity and cannot sustain any more housing. In addition the surrounding schools are also all full and the two secondary schools in the area are both full.

The transport system is inadequate and Chichester's Transport Statement is wrong in saying Loxwood is well served by transport links. There is a very limited bus service (just one bus per day only and only on four days a week). In addition the nearest train station is at Billingshurst and parking here is a nightmare. Should you wish to take the bus, then there is no chance you would be able to commute into London or other towns. The reason being there are no buses to serve it from Loxwood.

In addition the roads are all minor roads and not capable of taking the additional traffic. The risk of accidents will increase as well as pollution. Speeding is already a problem in the village despite numerous promises of traffic calming measures and sadly I doubt anything will be done until a child or person is hit by a car which is inevitable.

Lastly, on transport, I am surprised Chichester say they will improve cycle routes as there are none to improve! To also say that there are lots of buses is comical.

The utilities capacity in the village is at capacity. In particular, there is no more sewerage capacity, wastewater infrastructure and water capacity which has been highlighted by Southern Water and Natural England. The number of power cuts is increasing in the local area as a result of overdevelopment and despite the promises of new infrastructure by developers it never seems to arrive. there is still no shop for example.

The lack of sewage capacity is highlighted by sewage being emptied by tankers at the newly built Nursery Green and Thakeham sites daily. I have to endure horrible smells of excrement when I take my children to school in the morning, when the HGV lorries come to empty the tanks. Should these tanks ever be connected to the actual sewage system foul sewage would escape into the River Lox and flow into South Downs National Park.

There is no requirement to provide appropriate specialist housing needs (such as for older people or self/custom build) as this need has already established by the Thakeham / Stonewater site I have walked around the new estate and many houses lie empty. The reason is there is not need for any more affordable / social housing in the area.

Loxwood is a beautiful village with numerous listed properties, ancient woodland and ancient trees, Chichester's proposal will kill the aesthetics and character of the village and impacts on the wider landscape character. The Thakeham site has already damaged the views from Merryhills and is not in keeping with the vernacular of the village. We need to protect existing important landscape features and key views, not ruin them even more with more housing. The proposal is not sensitive to the historic village setting in size or location and it does not enhance, protect or complement the natural environment or rural character of the village or surrounding area.

The plans would seriously affect numerous important ecological site including, the South Downs National Park which will be affected by over development impact on water consumption within Sussex North Water supply zone on the Arun valley site. Loxwood sits within 13.5km of the River Arun, which holds the multiple designations of Special Area of Conservation (SAC) and Species Protection Area (SPA). IT also sits within the buffer zones for The Mens and Ebernoe Common SACs. Chiddingfold forest is to the northwest and The SSSI Barberrly Bridge Pasture site is by the village. Any development would impact these habitats which are critical for sustaining populations within these sites.

Over development of the village will also destroy habitats for the local wildlife including Great Crested Newts, Slow worms and snakes which I and my neighbours have seen in our gardens, numerous bat species which are protected including Barbestelle Bats, Mammals including, Dormice and badgers which live in Setts along the hedgerows of the village, rare butterflies and many other rare flora, invertebrates, amphibians, reptiles, mammals and birds on the Sussex notable bird list.

Loxwood is a historic village which sits within an area of outstanding natural beauty and includes numerous national Paths and bridleways as well as the Historic Wey and Arun Canal in close proximity.

Goes against Natural England's policy on water neutrality and their other policies to protect the countryside.

Lastly, there more harm than the public benefit, derived from CDC's proposals for the village which is in danger of being overdeveloped without the infrastructure to support it. Worst of all, a number of public footpaths would be affected by the additional housing. The degradation of local footpaths will have an effect on the mental wellbeing of residents who use these paths.

I hope that Chichester District council reconsiders its plans under policy A15 and removes this potential travesty. Their own report says it is not a suitable site and is only under consideration because of the lack of options available. But in reality, I would hope Chichester if required go back to the Planning inspectorate and make the case that even if they are required to hit an arbitrary housing figure, if there are not enough suitable sites to achieve this then it has to be accepted. It would be highly irresponsible to build somewhere just for the sake of hitting a target especially if the area is wholly unsuitable.

**Change suggested by respondent:**

Removal of policy A15

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Laura Crofts CDC Response Letter 17.03.23 redacted - <https://chichester.oc2.uk/a/t38>

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Ms Caroline Spencer [8000]

**Summary:**

1 bus a day on 4 days of the week at very inconvenient times for workers. No general shop and no post office. Access to the village is via 1 B road and country lanes. Sewage is a major problem with houses having to have non return valves fitted. Southern water said no more capacity in the system and not planning to upgrade. On 2 new sites sewage tanks - cesspits - overflow causing a severe biohazard - running down the road into drains which flow into the river. The local school is small. The local Doctors surgery is full.

**Full text:**

Loxwood cannot be identified as a service village it has no services!

1 bus a day on 4 days of the week at very inconvenient times for workers. No general shop and no post office. Access to the village is via 1 B road and country lanes. Sewage is a major problem with houses having to have non return valves fitted. Southern water said no more capacity in the system and not planning to upgrade. On 2 new sites sewage tanks - cesspits - overflow causing a severe biohazard - running down the road into drains which flow into the river. The local school is small. The local Doctors surgery is full.

**Change suggested by respondent:**

Do not plan for more houses in Loxwood.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Alison Laker [7193]

**Summary:**

Approved development on Loxwood's boundary areas including Dunsfold new village of 2600 new homes and the ongoing development of the village of Billingshurst will put further pressure on Loxwood's limited infrastructure which is already failing to cope with current levels including surface water run off from the surrounding water catchment area, sewage water and increasingly heavy and fast through traffic on a rural B road which in the centre of our village is one car wide.

The plan mis-represents the functional size of Loxwood referring to it as a 'service town'. How can a rural village with no daily public transport/bus route, no village shop, no capacity for further employment other than the limited existing employers, no services beyond a church, small primary school and GP surgery which services all local villages (including patients from Rudgwick who are moving to Loxwood Surgery because their GP now lives in Cornwall and works from home so is not available for a face-to-face consultation) be called a service town.

**Full text:**

Loxwood is on the county boundary with Surrey. Just the other side of the boundary there is major development by way of Dunsfold new village with 2600 new homes and associated infrastructure. In Loxwood we have existing issues with surface water drainage and sewage water treatment which are impacted by development in the surrounding area. We also have an increasing issue with heavy traffic using the village as a North/South route which will be increased when Dunsfold village and development in surrounding villages is completed (for example Billingshurst which is a village and still being developed). There is no evidence that the environmental and infrastructure impact of these development plans have been considered in the proposal to allocate a further 220 homes in Loxwood.

**Change suggested by respondent:**

There needs to be an honest, transparent and fair assessment of the current and future demands on Loxwood in respect to environmental impact. They have worsened in recent years so it is unrealistic to place greater demand by further development in the village itself.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

**Document Element:** Policy A15 Loxwood

**Respondent:** Irene Aspinall [8138]

**Summary:**

The policy does not achieve CDC's environmental, economic and social objectives due to lack of infrastructure (amenities, sewage capacity, road network) and environmental issues (emissions, loss of hedgerows/ancient woodlands, destruction of habitats and impact on protected species).

I object to any further development in the Loxwood area because it would ruin the nature of the village with detriment to residents already living in the village because there is inadequate infrastructure to support the development, and the negative impact on the natural environment.

**Full text:**

I write to register my objections to the Local Neighbourhood Plan.

The developments that are already underway should be sufficient. The developments that have taken place over the past 15 years have already changed the nature of the village, making access to the local countryside, one of the intrinsic attractions of living in Loxwood, increasingly difficult. Loxwood was a village but ongoing development is turning it into a town but without improvements to amenities or infrastructure.

CDC is aware that there is limited opportunity for growth in Loxwood and any growth will have a negative impact on the village, its residents and the surrounding area.

My objections relate to Policy A15 and Sections 10.66 to 10.77. The policy would have a direct, negative impact on Loxwood. In my opinion the Local Neighbourhood Plan does not help achieve CDC's environmental, economic and social objectives for the following reasons:

lack of infrastructure  
environmental requirements are not met

There is a lack of amenities in the village at present, it has no Post Office or village convenience store. The local school and doctors' surgery are at capacity and cannot cater for any increase in numbers using their services that would arise from more development. There is a lack of sewage capacity in the area; further development will place that system under further strain. Foul sewage escaping from the system is already blighting the lives of residents. A solution to the capacity issue has been cobbled together, with a holding tank serving the Nursery Green development that needs to be emptied by a tanker multiple times a week. This in itself leads to more HGV traffic through the village. Clearly there is already too much traffic passing through the village due to the introduction of traffic calming measures with new road markings being instated recently. Further development in Loxwood will lead to more traffic using the B2133 with negative impacts on the local environment as a result of more emissions from an increased number of motor vehicles in the area.

A negative impact on the natural environment would arise from the loss of hedgerows and ancient woodlands if development expands across land neighbouring the village, especially to the West. Further development of the village will destroy habitats for wildlife in the area including 79 internationally and nationally protected species that are known to live in the area including bats, newts, dormice, badgers, and other flora and fauna including birds on the Sussex notable bird list.

I object to any further development in the Loxwood area because it would ruin the nature of the village with detriment to residents already living in the village because there is inadequate infrastructure to support the development, and the negative impact on the natural environment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mrs Bente Salt [7963]**Summary:**

- Loxwood has developed its own plan which has been approved.
- Over-developing the countryside will not improve low biodiversity scores.
- Does not comply with various regulations.
- Infrastructure will not be able to cope with the significant increase of houses and residents.
- The sewage network will not be able to cope.
- The flood risk associated with over-development should not be underestimated.
- Water already an issue and unless proposed properties have a rainwater collection tank, will see greater pressure on our water infrastructure.
- Traffic calming insufficient.
- There is no meaningful public transport.
- Instead of building more houses on the proposed sites should be putting up solar panels.
- Local footpaths and bridleways will be affected to the detriment of frequent users.

**Full text:**

- I would like to object to the changes to the Chichester Local Plan 2021-39 covering the Loxwood ward on the following grounds.
- Loxwood has developed its own plan which has been approved. Overriding this plan makes a mockery of local decision making, which the local community has spent significant time developing.
  - Chichester should look at converting the significant number of vacant retail and office properties in town and city centres into accommodation to serve an aging population that will require better access to services rather than converting the countryside into an urban sprawl.
  - As a country with one of the lowest bio-diversity scores in Europe, over-developing the countryside will not improve this. We are increasingly pushing wildlife to the margins, including endangered species.
  - The plan does not comply with various regulations and should therefore not go ahead.
  - The infrastructure in Loxwood will not be able to cope with the significant increase in the number of houses and residents. There is no shop, the school and medical practice are already at full capacity.
  - The sewage network will not be able to cope. On occasions I have witnessed raw sewage running down Guildford Road from Nursery Green. Southern water will not be increasing capacity for a long time.
  - The flood risk associated with over-development should not be underestimated. The local water courses cannot cope.
  - Water is already an issue and unless each of the proposed properties have a rainwater collection tank, which the developers will never agree to, we will see greater pressure on our water infrastructure.
  - We are constantly promised that developments will generate some benefits for the local residents, but these benefits rarely materialise. Traffic calming only amounts to some flashing signs that do not deter drivers from speeding and the road markings recently introduced have not made any difference. Frankly, it's lip service and a complete waste of money.
  - There is no meaningful public transport. No one who works outside the village 9-5 would never be able to get public transport to work. You would have to leave home Friday lunchtime to make it to work by 9am Monday morning if you do not work in Loxwood.
  - Instead of building more houses on the proposed sites we should be putting up solar panels. That would benefit the local community and wildlife would be able to live alongside this.
  - Local footpaths and bridleways will be affected to the detriment of frequent users.

**Change suggested by respondent:**

Reduce allocation at Loxwood. Reg 14 NP uses numbers from Preferred Approach Plan.

Chichester should look at converting the significant number of vacant retail and office properties in town and city centres into accommodation to serve an aging population.

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Written Representation - <https://chichester.oc2.uk/a/spp>**Object****Document Element:** Policy A15 Loxwood**Respondent:** Julia Blackstone [8146]**Summary:**

Object to further development - current developments are not able to be built because of considerable ongoing and yet to be remedied issues with sewage, water supply, wastewater, (as previously highlighted by Southern Water and Natural England) lack of facilities, risk of flooding, lack of sensitivity of the history of the village and its surrounding natural environment, no transport infrastructure, total lack of consideration to wildlife, school and doctor surgery at maximum capacity, to name just a few.

**Full text:**

Please accept this email as an objection to the proposed overdevelopment of Loxwood, and listed below are just a few of the considerable number of reasons further development should be stopped and a Loxwood Plan implemented.

Current developments are not able to be built because of considerable ongoing and yet to be remedied issues with sewage, water supply, wastewater, (as previously highlighted by Southern Water and Natural England) lack of facilities, risk of flooding, lack of sensitivity of the history of the village and its surrounding natural environment, no transport infrastructure, total lack of consideration to wildlife, school and doctor surgery at maximum capacity, to name just a few.

I strongly object to any further development which will only compound issues listed above together with many more, and wish my objections to be noted against Policy A15 section 10.66 to 10.77 within Chapter10 Strategic and Area Based Policies as having a direct impact on the village of Loxwood.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None

**Document Element:** Policy A15 Loxwood

**Respondent:** Jonathan Gayner [8145]

**Summary:**

Object on grounds of lack of infrastructure and local services; sewage spills and lack of capacity in network; high levels of traffic which would increase with further development; increased emissions from additional traffic; potential loss of hedgerows and ancient woodlands; wildlife habitats would be destroyed; detriment caused to current residents' amenity.

**Full text:**

I write to register my objections to the Local Neighbourhood Plan.

The developments that are already underway should be sufficient. The developments that have taken place over the past 15 years have already changed the nature of the village, making access to the local countryside, one of the intrinsic attractions of living in Loxwood, increasingly difficult. Loxwood was a village but ongoing development is turning it into a town but without improvements to amenities or infrastructure.

CDC is aware that there is limited opportunity for growth in Loxwood and any growth will have a negative impact on the village, its residents and the surrounding area.

My objections relate to Policy A15 and Sections 10.66 to 10.77. The policy would have a direct, negative impact on Loxwood. In my opinion the Local Neighbourhood Plan does not help achieve CDC's environmental, economic and social objectives for the following reasons:

- lack of infrastructure
- environmental requirements are not met

There is a lack of amenities in the village at present, it has no Post Office or village convenience store. The local school and doctors' surgery are at capacity and cannot cater for any increase in numbers using their services that would arise from more development. There is a lack of sewage capacity in the area; further development will place that system under further strain. Foul sewage escaping from the system is already blighting the lives of residents. A solution to the capacity issue has been cobbled together, with a holding tank serving the Nursery Green development that needs to be emptied by a tanker multiple times a week. This in itself leads to more HGV traffic through the village. Clearly there is already too much traffic passing through the village due to the introduction of traffic calming measures with new road markings being instated recently. Further development in Loxwood will lead to more traffic using the B2133 with negative impacts on the local environment as a result of more emissions from an increased number of motor vehicles in the area.

A negative impact on the natural environment would arise from the loss of hedgerows and ancient woodlands if development expands across land neighbouring the village, especially to the West. Further development of the village will destroy habitats for wildlife in the area including 79 internationally and nationally protected species that are known to live in the area including bats, newts, dormice, badgers, and other flora and fauna including birds on the Sussex notable bird list.

I object to any further development in the Loxwood area because it would ruin the nature of the village with detriment to residents already living in the village because there is inadequate infrastructure to support the development, and the negative impact on the natural environment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Ziad Natour [8147]

**Summary:**

I wish to add my objection to this housing development that was recommended by CDC. CDC was supposed to carry out a study on growth scenarios for housing in Loxwood and to share their findings in a consultation back in 2022. The above to date didn't take place, despite LPC continuously chasing for the above study.

Loxwood as a village can not sustain such a development this is due to the poor infrastructure already in place, there are no shops, no public transport, no street lighting, extremely basic services i.e. sewage system, waste water collection, fresh water supply. The national grid already struggling, we are also surrounded by country lane and not main roads. The local school and surgery are running over their capacities.

I think CDC are conducting the business in reverse and putting their interests before the people of Loxwood

**Full text:**

I wish to add my objection to this housing development that was recommended by CDC. CDC was supposed to carry out a study on growth scenarios for housing in Loxwood and to share their findings in a consultation back in 2022. The above to date didn't take place, despite LPC continuously chasing for the above study.

Loxwood as a village can not sustain such a development this is due to the poor infrastructure already in place, there are no shops, no public transport, no street lighting, extremely basic services i.e. sewage system, waste water collection, fresh water supply. The national grid already struggling, we are also surrounded by country lane and not main roads. The local school and surgery are running over their capacities.

I think CDC are conducting the business in reverse and putting their interests before the people of Loxwood.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Linda Mott [8148]

**Summary:**

Loxwood is NOT a service village.

- Village shop closed.
- Public transport very limited and often cancelled.
- Doctor's surgery at capacity.
- Surrounding roads cannot cope with additional traffic.
- No additional capacity for sewage.
- Lack of water capacity.
- Too many new builds which are stretching resources.
- Risk of flooding if further building work is carried out.
- Further housing for low income families and the elderly is short sighted as they will need their own transport to carry out their daily lives.
- No cycle routes.
- Footpaths would be reduced.
- Wildlife habitats will be destroyed.

**Full text:**

I wish to strongly object to the recently published local plan. My reasons for this are:

1 Loxwood is NOT a service village.

- Our village shop has closed.
- Public transport is very limited and often cancelled with no warning or communication.
- The doctor's surgery is at full capacity.
- The surrounding (narrow country) roads cannot cope with additional traffic.
- There is no additional capacity for sewage.
- There is a lack of water capacity.
- We have too many new builds which are stretching the resources of this little village.
- There is a risk of flooding if further building work is carried out.
- Further housing for low income families and the elderly is short sighted as they will need their own transport to carry out their daily lives (there is no village shop and few buses).
- We have no cycle routes (my husband and I are keen cyclists – we would have noticed if there were).
- Footpaths would be reduced ... a key attraction of this area is the walking opportunities.
- Wildlife habitats will be destroyed.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Tim Swann [8149]

**Summary:**

Allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood-it a huge Percentage increase and will destroy the village.

Loxwood should not be deemed to be a strategic location-it is a small rural village.

LPC have spent time and effort to create a Revised Neighbourhood Plan which allocates 126 houses plus 17 carried forward from the Made Neighbourhood Plan giving 143 houses. It has reached Regulation 14 consultation stage and is based upon the Preferred Approach Local Plan consultation. The residents of the Parish and Loxwood Parish Council have satisfied themselves through evidence gathered that 126 homes is a sustainable allocation given the constraints that exist-it should not be ignored due to water neutrality issues

This protects the village and the community and reflects the importance of Neighborhood plans for Loxwood and the rest of the country -there is a process and it should be respected otherwise it makes a mockery of the whole planning system and developers win every time.

**Full text:**

I feel very strongly the local plan is ill thought through and a unbalanced distribution of houses that doesn't reflect the nature of rural villages. Loxwood is a rural village with no public transport links that are usable for the working population, no work opportunities, a serious lack of sewage capacity, no local grocery shop and yet the council deem it suitable for over 312 houses which will give a 50% increase in dwellings and a potential for significantly more as a 'strategic' location-it is completely bonkers. We are not a town!

It is also very disrespectful of the council to ignore our latest neighbourhood plan-we have accepted the national need for additional houses and have spent significant time and funds to produce this. It has completely demoralized the parish council and make a mockery of the whole process.

I have included my comments below why i believe this is not a viable plan for the council.

CDC have not consulted on revised housing numbers in North of the district-it quote the restrictions of the A27 which prevents the southern development however the A281 is a bigger constraint which will also have Dunsfold adding pressure.

Allocation of 220 houses plus a further 91 houses on already allocated sites is not sustainable in rural Loxwood-it a huge Percentage increase and will destroy the village.

CDC Sustainability Appraisal is weak in its justification for allocation of 220 houses

There is no viable bus, lack of sewerage capacity, a village school, shops to support large increase in housing

Policy A15 should be removed and Policies H2 and H3 amended to reflect a realistic allocation of 125 houses which is still generous compared to other local area with better services.

Loxwood should not be deemed to be a strategic location-it is a small rural village

LPC have spent time and effort to create a Revised Neighbourhood Plan which allocates 126 houses plus 17 carried forward from the Made Neighbourhood Plan giving 143 houses. It has reached Regulation 14 consultation stage and is based upon the Preferred Approach Local Plan consultation. The residents of the Parish and Loxwood Parish Council have satisfied themselves through evidence gathered that 126 homes is a sustainable allocation given the constraints that exist-it should not be ignored due to water neutrality issues

This protects the village and the community and reflects the importance of Neighborhood plans for Loxwood and the rest of the country -there is a process and it should be respected otherwise it makes a mockery of the whole planning system and developers win every time.

Please can you protect the rural nature of this county and vote against plan.

**Change suggested by respondent:**

Policy A15 should be removed and Policies H2 and H3 amended to reflect a realistic allocation of 125 houses which is still generous compared to other local area with better services.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Thakeham Homes (Katie Martin, Planner) [8163]

**Summary:**

Concerned Loxwood Neighbourhood Plan currently being delayed due to water neutrality and if Plan continues to be delayed, there will be knock-on delay in provision of housing in north of the District - suggest CDC allocate sites to ensure delivery.

Question legality of Policy placing responsibility on developers for Southern Water's short comings in ensuring sufficient capacity for new development.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Plan should allocate sites.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/szx>

**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mr Vivian Diggens [6550]**Summary:**

The village infrastructure is already lacking shops, transport links, development of sewage and wastewater facilities by Southern Water, as well as current pressures on the school and medical centre.

These all need to be improved BEFORE any new developments are approved and the proposed infrastructure delivery plan in the A15 policy and 10.70 of Chichester's proposed plan is not at all specific and lacking in areas I have mentioned above.

New housing in Loxwood will have a negative effect our local and the wider environment and will fall outside of current government legislation for hedgerow regulations, conservation of species and habitat, as well as the much discussed requirement for water neutrality.

There is so much wrong with these proposals, as I have highlighted that it makes a further 220 houses in Loxwood totally unworkable.

**Full text:**

I am writing to you with VERY strong feelings against the Chichester Local Plan 2021 to 2039 specifically for Loxwood. As a resident of 45 years, I have experienced the changes, many of which have been negative, that have happened over that period in Loxwood.

Leaving aside the shortcomings of the previous approved housing developments by CDC, I would like to briefly identify the shortcomings in the Local Plan 2021 to 2039 for Loxwood.

Having read the

The village infrastructure is already lacking shops, transport links, development of sewage and wastewater facilities by Southern Water, as well as current pressures on the school and medical centre. These all need to be improved BEFORE and new developments are approved and the proposed infrastructure delivery plan in the A15 policy and 10.70 of Chichesters propose plan is not at all specific and lacking in areas I have mentioned above.

New housing in Loxwood will have a negative effect our local and the wider environment and will fall outside of current government legislation for hedgerow regulations, conservation of species and habitate, as well as the much discussed requirement for water neutrality.

There is so much wrong with these proposals, as I have highlighted that it makes a further 220 houses in Loxwood totally unworkable.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None**Object****Document Element:** Policy A15 Loxwood**Respondent:** Mrs Jean Lightman [7062]**Summary:**

Objection to Loxwood figure due to infrastructure:

1. No shops.
2. No bus service.
3. School capacity.
4. Water and sewage.
5. GP capacity.
6. Road condition and congestion.

**Full text:**

I am writing to comment on the allocation of 220 houses in the Local Plan for Loxwood.

Astounded are my thoughts that the powers that be think that we can cope with 220 more houses on top of an influx we have already received. My various reasons why our infrastructure cannot cope I list below.

1. We have no shops other than butchers and hairdressers. I know there is a plan for a new shop in the village but this has been going for some time and I cannot believe it will actually happen.
2. The village has no bus service to speak off.
3. The school cannot cope with the extra pupils that would be generated.
4. We already have problems with water and sewage in the village and this has not been adequately dealt with.
5. The Doctors Surgery is struggling already.
6. The roads are already in a very poor state and could not cope with the extra traffic.

It feels that as we are on the edge of Chichesters area we are like the forgotten people and are becoming a ground for dumping any extra housing with no real justification that the area can cope.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** None



## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Sandra Imrie [8173]

**Summary:**

Loxwood Ward is an under-funded, under-serviced rural area. I fail to understand how the housing numbers mentioned in this Local Plan can be seriously considered for this rural area where there are so many ongoing issues waiting to be addressed. These problems have been created by the recent expansion of housing in the ward. It is irresponsible planning to propose further expansion until existing infrastructure is improved to cope with the current level of housing and population.

**Full text:**

Loxwood Ward is an under-funded, under-serviced rural area. I fail to understand how the housing numbers mentioned in this Local Plan can be seriously considered for this rural area where there are so many ongoing issues waiting to be addressed. These problems have been created by the recent expansion of housing in the ward.

It is irresponsible planning to propose further expansion until existing infrastructure is improved to cope with the current level of housing and population. Loxwood and the surrounding villages are in danger of being swamped. Public transport. Employment. Schools. GP surgery. Water neutrality. These are not small things to be dismissed as 'easily dealt with' in the bigger picture of this Local Plan. These things affect the daily lives NOW of all of us who live in this Ward and must be addressed.

Infrequent and rarely seen public transport. Increasing traffic usage on often narrow rural roads and the accompanying reduction in air quality. Vehicles that ignore speed limits and endanger other road users [walkers, children walking home from the school bus stop, joggers, cyclists, horse riders]. I have lost count of the times I have walked to Ifold Stores along Plaistow Road and have been passed within 1ft by cars and vans exceeding 30mph. Not to mention the seriously overwhelmed and under-staffed GP surgery.

Loxwood is not a 'service town' with transport links, it is a small village without a shop selling basic groceries. We have seen a succession of housing plans submitted locally that boast water neutrality but without evidence of how this will realistically be achieved. Developers are looking to get rich at the expense of residents.

It is scandalous that the CDC should allow this to happen without due oversight and consideration of the local population. The draft of this Local Plan should be compiled after repeated on-site visits and thorough research, in consultation with local representatives, and not by someone sitting at a desk in Chichester using Google.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Metis Homes [1602]

**Agent:** Nova Planning (Mr Patrick Barry, Director) [1195]

**Summary:**

Loxwood has been identified as a Strategic Development Location in favour of other more sustainable locations in Southern Plan Area on the basis of capacity issues on the A27 which are not supported by evidence. This results in a less sustainable distribution of housing than would otherwise be the case had the transport evidence been properly applied to the housing distribution strategy. Loxwood is sequentially less sustainable than a number of other Service Villages in the South, including Westbourne where suitable land has been promoted and considered 'developable'.

**Full text:**

See attachments.

**Change suggested by respondent:**

Allocation should be removed in favour of allocations elsewhere in the Southern Plan Area.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/snj>

Technical Note - Paul Basham Associates - <https://chichester.oc2.uk/a/sny>

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mrs Joanna Wright [7831]

**Summary:**

Objection to Loxwood number due to:

- We are on a junction of two B-roads, not big enough for big housing development
- The school is full, with a waiting list and no room to expand
- The doctors surgery is full to bursting
- Loxwood floods badly
- The sewers are too small to cope with the village as it now is
- We have ongoing water neutrality issue that do not fit with plans to bring more houses to the village
- Fresh water supplies are stretched to the maximum as it now is
- There is no gas
- There is no shop
- There is no public transport
- We are entirely car-dependant, and more homes bring more cars and air pollution

**Full text:**

Please add our names to the objectors list regarding the plan to add another 220 houses in LOXWOOD, our village in your constituency.

We are being threatened on all sides, and we have no facility for expansion. There are plenty of building opportunities that are adjacent to larger roads, we are small village community.

In summary, my objections are these:

- We are on a junction of two B-roads, not big enough for big housing development
- The school is full, with a waiting list and no room to expand
- The doctors surgery is full to bursting
- Loxwood floods badly
- The sewers are too small to cope with the village as it now is
- We have ongoing water neutrality issue that do not fit with plans to bring more houses to the village
- Fresh water supplies are stretched to the maximum as it now is
- There is no gas
- There is no shop
- There is no public transport
- We are entirely car-dependant, and more homes bring more cars and air pollution

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mrs Margaret Carr [5162]

**Summary:**

Objection to Loxwood figure due to:

Lack of shop  
No bus service  
Water neutrality and sewage  
School capacity  
GP capacity  
Lack of local employment.

**Full text:**

I have just heard that there is a planning application in for 220 more houses in Loxwood. I find this extraordinary when you consider all the things we don't have.

1. A shop, I have just driven 3 miles each way to buy a paper.
2. There is no bus service here at all on at least one working day connecting Loxwood to the nearest train station.
3. We are not water neutral and one development has an overflow sewage tank that has to be emptied by a lorry.

We do have:

1. A near capacity school
2. A near capacity surgery
3. No available local employment

There are a lot more examples I could have given as to why this is a bad idea for the area and also for the environment, but I am sure you have heard them all before.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:**

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

This is a small development in an area with poor sustainable access and transport and therefore dominated by cars. Any development in Loxwood should only go ahead if there is a focus on providing what people need in their local communities and providing sustainable transport links to larger communities and railway stations.

6 and 7. If a development increases car use it is conflicting with Chichester District Council Climate Emergency and should not go ahead, with development focused on areas where people can access their needs without cars, therefore remove requirement for off-site highway improvements and replace with, "Provide safe and suitable access points for all users, including provision of local amenities to reduce the need to travel, provide or fund frequent, reliable affordable bus services, including provision of bus, priority and bus lanes direct to Horsham, Billingshurst and neighbouring communities.

provide Continuous, direct, safe, attractive, comfortable walking and cycling routes between the development and neighbouring communities with cycle route linking Horsham, Billingshurst and Guildford via Cranleigh and Downslink.

If these requirements are unaffordable, development at Loxwood is not sustainable and should not proceed.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Lars Mansson [7099]

**Summary:**

[RECEIVED LATE] -  
Objection to Loxwood figure due to insufficient infrastructure.

The problem in Loxwood is that the infrastructure has been neglected.

- Waste and sewage inadequate.
- Public transport non existent. We have to rely on cars or kindly neighbours giving lifts.
- we were promised a local shop to replace the old post-office store.
- the road network is insufficient. Recently we had heavy lorries racing down Spy Lane for a whole week.

**Full text:**

I have been studying the latest Local Plan and I find to my horror that CDC has decided to allow 240 new houses in Loxwood.

Nearby areas like Wisborough Green and Kirdford have been allocated considerably less houses.

The problem in Loxwood is that the infrastructure has been neglected.

- Waste and sewage inadequate.
- Public transport non existent. We have to rely on cars or kindly neighbours giving lifts.
- we were promised a local shop to replace the old post-office store.
- the road network is insufficient. Recently we had heavy lorries racing down Spy Lane for a whole week.

Luckily we managed to Stop the Clay Pit. We hope the Loxwood clay pit people don't come back with another plan.

I would expect you to ask the CDC to consider the number of houses they want to build in Loxwood. And more importantly, they deliver the infrastructure improvements.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mr Patrick McGuinness-Smith [5201]

**Summary:**

[RECEIVED LATE]

Raises alleged inaccuracies within Local Plan regarding:

1. Adequacy of transport links in Loxwood;
2. Capacity of waste water treatment facilities;
3. Existence of cycle routes.

Also raises issues regarding capacity of local infrastructure, water supply, and legislative requirements according to the Localism Act 2011.

**Full text:**

As a resident of Loxwood I am reacting to the CDC local plan.

This plan contains three untruths which fact indicates bad research on CDC's part.

1. The Transport Statement tells us we are well served. We have one bus per day on only four days a week. Any other busses spotted by your researcher are part of the School Run service.
2. CDC claims there is no issue of capacity with sewage. Southern Water have confirmed there is no extra capacity in the sewage system.
3. Cycle Routes do not exist at present, so the notion that 200 extra houses will provide improvement is nothing less than fanciful.

Another three points of contention -

- We have no shop and the School and Doctor's Surgery are at full capacity.
- Southern Water have highlighted a lack of water capacity.
- This local plan ignores the terms of the Localism Act 2011.

I might expect this sort of roughshop treatment in China or Russia but not in West Sussex.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Miss Kelly Heath [8105]

**Summary:**

[RECEIVED LATE]

Objecting on the grounds of:

- Lack of supporting infrastructure in village including school, shop and GP;
- Lack of transport links including limited bus service and no train station;
- Adverse impact of proposed housing development in terms of congestion and pollution;
- Lack of sewage capacity
- Potential consequential impact of flooding
- Destruction of wildlife habitats

**Full text:**

[RECEIVED LATE]

We wish to object to the Local Plan for the following reasons:-

There is a total lack of infrastructure in Loxwood. We have no village shop, virtually no bus service, and no train station that you do not need to drive to.

Loxwood Primary School is at capacity, as are, as far as I am aware, the next nearest schools out of the catchment area (Wisborough Green, Plaistow & Kirdford, Rudgwick Primary schools). If 220 houses were built, that's likely to bring several hundred school-aged children needing primary and secondary school places, which will not be available. An additional 220 houses would also bring 220-400+ cars to the village, resulting in further traffic issues and pollution (Station Road is near impossible to drive down at school pickup and drop off times due to the excessive number of vehicles using it for parking).

Loxwood Medical Practice is at capacity. Just trying to phone the surgery in the morning would highlight how stretched they are. The surgery could not cope with the several hundred new patients from Loxwood alone.

Lack of sewerage capacity - We were told 10 or so years ago that the sewer system would not cope with the additional houses planned for the land by Farm Close/Loxwood Surgery. The sewer system has not been upgraded, yet there have been two larger developments, as well as a couple of smaller developments which have been built since.

The village flooded quite badly in December 2013, with the Onslow Arms having to be completely refurbished and residents of Burley Close having to be evacuated from their homes. Only one route out of the village was just about passable. Additional homes in the area would have an impact on where this water could go if similar happened in the future, potentially causing even more properties to be affected by flooding.

Wildlife habitats would be destroyed causing further decline in numbers of already protected species.

We strongly urge you to vote against this Local Plan.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object**

**Document Element:** Policy A15 Loxwood

**Respondent:** Sue Bennett [8100]

**Summary:**

[RECEIVED LATE]

Objection on the grounds of:

- Limited supporting infrastructure and transport links in the village;
- Lack of shop promising in previous developments has not materialised;
- Issue with classification as service village;
- Limited access to employment in rural community;
- Consequential impact of proposed housing on flooding;
- Limited capacity of sewage system;
- Poor power and broadband connections, likely overloaded by proposed development;
- Limited education facilities;
- Disregard for Neighbourhood Plan;
- Concern regarding impact on environment and surrounding landscape
- Concern regarding overdevelopment / lack of benefit to local community

**Full text:**

[RECEIVED LATE]

I am sending to you my objection comments to Chichester Local Plan in respect to Policy A15 Loxwood . This essentially details the plan to build a further 200+ houses in the rural community. Permission has already been granted for 90+ houses, so the new proposal is in addition to this. Please can you ensure my objection comments are submitted .

I am sending this to you as I have been unable to submit my application via the portal. I wonder if this is because I was trying to access this using an iPad? Unfortunately I did not have access to my desk top until after 5pm by which time it appears the option to comment has been removed.

I object to the Policy A15 for the following reasons:

1) Loxwood is a rural village setting with limited infrastructure. The policy refers to developing the existing public transport and Loxwood is well served by transport links. That is totally incorrect . The current bus service is extremely limited only one bus a day on 4 days a week. Clearly for anyone who currently lives in Loxwood, to access employment, social, education, food provision it is a necessity to have a car to access the local towns Billingshurst and Cranleigh which are 5 miles away.

It is unrealistic to suggest the current service can or will be improved to make this viable for the community to be able to access schools/work in neighbouring towns.

2) The nearest train station in Billingshurst is 5 miles away and has minimal parking . There is no public transport to the station so anyone using train routes need their own means to get there. Should 200+ houses be built in Loxwood that is a huge increase in vehicles using the local rural roads.

3) Loxwood has been referred to as a service village. I challenge this as there is no local shop. In previous housing developments a shop was "agreed/promised" . This has not materialised.

4) Employment in this rural community is limited. To access employment in local towns anyone would need to use a car . The local rural roads would not be able to sustain this increased traffic use safely.

5) I am concerned about flooding in this area should future building take place. I have personally experienced my house being flooded in 2013. Increasing building in my view would put pressure on the water flow and further risk of flooding.

6) The sewage system is at capacity . Further housing development would be detrimental to the existing systems.

7) I am concerned about power in the community and internet broadband connections. This is already poor. We do experience power cuts and lack of internet band width. With further housing development the existing facility, will be even more over loaded.

8) I am concerned about education facilities . There is a local primary school, which is at capacity. The secondary school in catchment is over subscribed. It is not clear in any plans whether any provision is being made for this . Building 200+ houses in this community would increase the demand for education. The current provision would not be able to provide a service.

9) Loxwood has had a neighbourhood housing plan, which it appears has been completely ignored by the planning authority in recent planning applications. It is my opinion Loxwood has already, taken more than its fair share of new housing in the County. I remind you again that this is a rural village with limited infrastructure.

10) I am concerned about the impact on the environment with a proposal to build a further 200+ houses, in what is a village within an area of natural beauty.

11) This proposed development has no benefit to the local community and would lead to over development of the village.

Kind regards

Sue Bennett

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Mrs S Burchett [8098]

**Summary:**

[RECEIVED LATE]

Objection on the ground of:

- Lack of supporting infrastructure
- Poor transport links
- Increased flood risk
- Limited sewage capacity
- Detrimental impact on wildlife
- Overdevelopment

**Full text:**

[RECEIVED LATE]

Objection to Policy A15 CDC plan to allocate land for development of additional 220 dwellings in Loxwood (sending this by email as had problems registering my objection on the website)

I object to the A15 CDC plan as:

Loxwood has a distinct lack of appropriate infrastructure to serve extra housing, such as no post office and the village shop closed in 2022.

Loxwood is very poorly served by transport links, there is only a bus service on 4 days a week, and even then, only 1 per day.

Future developments could cause an increased flood risk to existing properties, by there being less undeveloped land to soak up heavy rainfall, the run off from hard standing areas causing further problems. This is unacceptable.

Southern Water have stated that there is no capacity for extra sewage in the existing system from additional housing in the village.

Any sewage overflows into the local streams and river, as a result of this lack of capacity, would create an unacceptable biohazard for local residents, as well as local wildlife.

Local habitats for wildlife will be compromised by over-development of housing in Loxwood. I believe the addition of a further 220 new houses would constitute over-development.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Pauline Hammett [8207]

**Summary:**

[RECEIVED LATE]

Our sewerage system is not suitable and will not accommodate more dwellings, our infrastructure is not adequate to sustain a larger population.

We do not have a shop or post office, there are no buses running regularly, our bus stop is being used as a car park.

It is impossible to get an appointment at our doctor's surgery.

I am objecting to all developments which has been tabled for Loxwood and any future development which may be applied for.

**Full text:**

[RECEIVED LATE]

I am objecting to further development in the village at Loxwood. Your system for correctly making objections is too complicated to follow so I am hoping this e mail will be submitted as an objection.

Our sewerage system is not suitable and will not accommodate more dwellings, our infrastructure is not adequate to sustain a larger population.

We do not have a shop or post office, there are no buses running regularly, our bus stop is being used as a car park.

It is impossible to get an appointment at our doctor's surgery.

I am objecting to all developments which has been tabled for Loxwood and any future development which may be applied for.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Dr and Mrs P Longthorne [8208]

**Summary:**

[RECEIVED LATE]

We would like to add our concerns regarding the additional housing which has been allocated to this area. Enlarging these beautiful villages will significantly alter the character of the local area. There is almost no public transport to these villages and the surgery at Loxwood is already under pressure. The environmental impact of building more houses in an area of natural beauty would also be significant. It is not clear how much consideration has been given to infrastructure requirements - schools, employment, transport.

Once these beautiful villages are expanded and developed there is no going back and they are lost forever along with the attendant reduction in quality of life for the people who live there.

**Full text:**

[RECEIVED LATE]

We have been unable to access the consultation form online but we understand that we can send our comments via this email address.

We would like to add our concerns regarding the additional housing which has been allocated to this area. Enlarging these beautiful villages will significantly alter the character of the local area. There is almost no public transport to these villages and the surgery at Loxwood is already under pressure. The environmental impact of building more houses in an area of natural beauty would also be significant. It is not clear how much consideration has been given to infrastructure requirements - schools, employment, transport.

Once these beautiful villages are expanded and developed there is no going back and they are lost forever along with the attendant reduction in quality of life for the people who live there.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Aaron Beadle [8209]

**Summary:**

[RECEIVED LATE]

Object on grounds of:

- ecological impact;
- traffic / limited transport links
- limited existing supporting infrastructure
- water supply and neutrality issue

**Full text:**

[RECEIVED LATE]

I object to the quantity of properties proposed in the Local Plan on the following grounds:

**Ecological impact:**

The increased noise, light pollution and traffic will impact negatively on the biodiversity of the area as fragile local animal habitats are destroyed. Rare species of bats, barn owls, deer, butterflies, badgers and countless other animals benefit from the rural environment. Once this tranquil location is disturbed the ecology of the area will suffer beyond repair.

**Traffic:**

Loxwood district and the surrounding roads are very quiet with many farms and stables in the immediate vicinity. Horse riders, dog walkers, hikers and cyclists frequent this location and the additional traffic associated with the provision of the proposed number of properties would severely impact upon this beautiful rural area, and the safety of its residents.

Due to the rural location there is very limited public transport in this area meaning that new residents in the proposed developments will need to travel in private vehicles.

**Infrastructure:**

Existing residents are struggling to obtain medical appointments and to secure school places already without exacerbating these issues by increasing the permanent population.

There are also the concerns around water neutrality and the depletion of this valuable resource. This Northern more rural parts of the district are struggling with this already without increasing the strain by the addition of further developments.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None



## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Diane and Paul Chandler [8211]

**Summary:**

[RECEIVED LATE]

Objection to proposed development on grounds of:

- overdevelopment
- impact on agricultural land / food availability
- inappropriate definition as service village
- lack of supporting infrastructure
- limited transport links
- lack of sewage capacity
- lack of grid capacity
- impact on important habitats
- impact on landscape and public rights of way
- inconsistent with national policy

**Full text:**

[RECEIVED LATE]

We are writing to lodge our deep concern regarding the most recent proposed plans for development within our Village of Loxwood . Already there has been a lot of new housing developments within Loxwood and we can see more springing up at present. We are very opposed to this overdevelopment which is eating into the countryside and affecting our Community . The proposed development in question is going to take over farmers fields and is going to ruin the environment for all concerned - farmers and local residents alike. With the recent emphasis on food production within the UK due to the dreadful war in Ukraine and the knock on effect to food production in Europe, we would have thought the emphasis would have been on home grown produce from now on. This means farmland not development for housing. We are aware that the proposed development does not meet environmental requirements either.

Loxwood does not qualify as a service village and is not in a sustainable location. We no longer have a village shop and post office. They closed in August/September 2022. There is a lack of infrastructure such as a limited bus service and the closest train station is over 6 miles away. The local school and surgery are already at capacity and cannot sustain more housing. There is also a lack of sewerage capacity in the area and Southern Water have confirmed this but Chichester Borough Council have denied there is a lack of capacity. There is no wastewater infrastructure either to support the plans. There is also a lack of grid capacity and power cuts are increasing in the local area due to over development.

We feel that the site would be inappropriate It would destroy important habitats which Chichester Borough Council says need to be retained! The plan cannot integrate this housing or mitigate any impacts on the wider landscape character as a result. Important landscape features and key views would be affected from numerous Public Rights of Way both to the East and West of the Village.

Lastly, we have been made aware that the proposed plan is not consistent with National Policy and will not enable delivery of sustainable development.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Peter Tait [7237]

**Summary:**

[RECEIVED LATE]

Objection of grounds of:

- insufficient supporting infrastructure including:
  - i) water and sewage;
  - ii) services including shop, school and medical practice;
  - ii) issue of power supply
- Impact on landscape and flood risk
- Impact on natural environment
- Lack of consideration of Neighbourhood Plan

**Full text:**

[RECEIVED LATE]

I would like to register my strong objections to the Local Plan published on 3rd February last, which sets out proposals to develop 220 new homes in Loxwood in addition to the 91 that are under development.

My principle cause for concern about these plans are that it is already demonstrably clear that the infrastructure in Loxwood cannot adequately support the existing developments, let alone this proposal, which contains no mention of any attempts to improve it.

This includes but is not limited to:-

**Water & Sewerage:** Southern Water have admitted that the capacity in Loxwood is insufficient to deal with even current demand and has no plans to increase it.

I have personally experienced sewage backflow on my property on a number of occasions in the last twelve months, which has been rectified recently by the fitting of a valve system which shifts the problem elsewhere. Furthermore, the "workarounds" in place for recent housing developments lead to unpleasant odours and risk of discharge into the water courses.

**Services:** Loxwood has no village shop, its school and medical practice are at capacity and there is negligible public transport serving the village. Over development is placing a strain on the electrical grid supply leading to instances of power disruption.

**Landscape and flood risk:** The conversion of the significant amount of land involved with this proposal from fields to housing plots will add further pressure from rain water flow on the capacity of the River Lox and Loxwood stream, thereby increasing the risk of flooding to many properties (including my own) in the village.

The proposals dig deep into the natural environment that defines the character of the village and its surroundings with footpaths, vistas and natural habitats permanently degraded as a consequence.

Loxwood PC developed a Neighbourhood Plan in 2018 which was revised in 2020; this seems to have been ignored completely by CDC despite central government encouragement of such plans. It appears that CDC's desire to focus more housing development in the North of its district is leading to draconian disregard for the considered views of local residents reflected in the Neighbourhood Plan.

I ask that you take my points into consideration when this Local Plan Proposal is refined further.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A15 Loxwood

**Respondent:** Dr Hema Borde [7999]

**Summary:**

Concerns regarding transparency in relation to preparation of the Local Plan in relation to proposed site allocation with Loxwood. Specific concerns include: merging with surrounding villages and lost of character; severe lack of infrastructure; limited sustainable transport and dependency on cars; limited capacities of utilities.

**Full text:**

I am concerned there was a lack of transparency on this plan, as a resident of Loxwood I was unaware until the day before deadline. Plan shows Loxwood will significantly increase in size, merging with other surrounding villages such as Ifold, Alfold and Dunsfold to end up being a town and will lose its village character. There is severe lack of infrastructure. The A281 is a single lane road and is constantly jammed at the Bramley and Shalford junctions, due to high traffic and roadworks. It is 12 miles to Guilford and Horsham stations, so difficult is anyone needs to commute, the only option is to drive. There is only one shop and that is closing. The post office has already closed. There is only one surgery and it is near on impossible to get a doctors appointment in 1-2 days. Water, and sewage and electricity capacity is a major concern. There is only one primary school with limited places so children will have to travel away to go to school.

**Change suggested by respondent:**

-

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** None

## Object

**Document Element:** Goodwood Motor Circuit and Airfield, 10.71

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The Estate supports the local plan in recognising the importance to the district of the Goodwood Motor Circuit and Airfield, but it will be helpful for the plan to acknowledge the two distinct business areas, which have different requirements in terms of local plan policy.

**Full text:**

Local Plan Paragraphs 10.71 – 10.75 The Estate supports the local plan in recognising the importance to the district of the Goodwood Motor Circuit and Airfield. The Estate similarly supports Policies A16 and A17 and changes to Local Plan Maps, A9a, and both A16a. While the airfield and motor circuit occupy the same area of land (Map A16a) it will be helpful for the plan to acknowledge the two distinct business areas, which have different requirements in terms of local plan policy.

Accompanying Footnote 51 should be changed to more appropriately reflect the contribution of the Goodwood Estate to the local, regional and National economy. The Estate has shared with the planning authority the LSE report commissioned to research the contribution of Goodwood (LSE “The Goodwood Estate: Estimating Socioeconomic Contribution January 2020”).

This document providing evidence from all Good businesses over a period of time, should be referenced in paragraph 10.71, rather than the one-off event mentioned. It will be appreciated that if a single event generates a significant local and National turnover of some £60M in 2014, the combined turnover from all Goodwood businesses will be of far greater significance. It is this most important and significant contribution to local, regional and National economics, that must be protected, enhanced and sustained through policies of the local plan. The report is being updated and will be shared with the planning authority when available (expected before the Local Plan Examination)

**Change suggested by respondent:**

It will be helpful for the plan to acknowledge the two distinct business areas, which have different requirements in terms of local plan policy.

Accompanying Footnote 51 should be changed to more appropriately reflect the contribution of the Goodwood Estate to the local, regional and National economy.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** GOODWOOD Economics Proof 010721.pdf - <https://chichester.oc2.uk/a/s4w>

Goodwood Economic Impact Study Report - 11.02.2020.pdf - <https://chichester.oc2.uk/a/s4f>

## Support

**Document Element:** Goodwood Motor Circuit and Airfield, 10.71

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The Estate supports the local plan in recognising the importance to the district of the Goodwood Motor Circuit and Airfield.

**Full text:**

Local Plan Paragraphs 10.71 – 10.75 The Estate supports the local plan in recognising the importance to the district of the Goodwood Motor Circuit and Airfield. The Estate similarly supports Policies A16 and A17 and changes to Local Plan Maps, A9a, and both A16a. While the airfield and motor circuit occupy the same area of land (Map A16a) it will be helpful for the plan to acknowledge the two distinct business areas, which have different requirements in terms of local plan policy.

Accompanying Footnote 51 should be changed to more appropriately reflect the contribution of the Goodwood Estate to the local, regional and National economy. The Estate has shared with the planning authority the LSE report commissioned to research the contribution of Goodwood (LSE “The Goodwood Estate: Estimating Socioeconomic Contribution January 2020”).

This document providing evidence from all Good businesses over a period of time, should be referenced in paragraph 10.71, rather than the one-off event mentioned. It will be appreciated that if a single event generates a significant local and National turnover of some £60M in 2014, the combined turnover from all Goodwood businesses will be of far greater significance. It is this most important and significant contribution to local, regional and National economics, that must be protected, enhanced and sustained through policies of the local plan. The report is being updated and will be shared with the planning authority when available (expected before the Local Plan Examination)

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** GOODWOOD Economics Proof 010721.pdf - <https://chichester.oc2.uk/a/s4w>

Goodwood Economic Impact Study Report - 11.02.2020.pdf - <https://chichester.oc2.uk/a/s4f>

## Object

**Document Element:** Goodwood Motor Circuit and Airfield, 10.71  
**Respondent:** The Goodwood Estates Company Limited [7922]  
**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The paragraph should emphasise, as raised in other representations, the true value of the Goodwood Estate to the local and National Economy.

Goodwood Estate generates an estimated economic contribution of £435m into the national economy and £125m in tax contributions, of which £314m and £100m respectively benefit the local economy (2019 Study by London School of Economics). Consequently, one of the area's most significant providers of employment, homes and economic benefit, is under threat from inappropriate adjacent development. The Plan should ensure the benefits provided by Goodwood and its operations are sustained by appropriate policy protection and opportunity.

**Full text:**

The paragraph should emphasise, as raised in other representations, the true value of the Goodwood Estate to the local and National Economy.

Goodwood Estate generates an estimated economic contribution of £435m into the national economy and £125m in tax contributions, of which £314m and £100m respectively benefit the local economy (2019 Study by London School of Economics). Consequently, one of the area's most significant providers of employment, homes and economic benefit, is under threat from inappropriate adjacent development. The Plan should ensure the benefits provided by Goodwood and its operations are sustained by appropriate policy protection and opportunity.

**Change suggested by respondent:**

The paragraph should emphasise, as raised in other representations, the true value of the Goodwood Estate to the local and National Economy.

Goodwood Estate generates an estimated economic contribution of £435m into the national economy and £125m in tax contributions, of which £314m and £100m respectively benefit the local economy (2019 Study by London School of Economics). Consequently, one of the area's most significant providers of employment, homes and economic benefit, is under threat from inappropriate adjacent development. The Plan should ensure the benefits provided by Goodwood and its operations are sustained by appropriate policy protection and opportunity.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Support

**Document Element:** Goodwood Motor Circuit and Airfield, 10.71  
**Respondent:** The Goodwood Estates Company Limited [7922]  
**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Support in principle.

**Full text:**

The paragraph should emphasise, as raised in other representations, the true value of the Goodwood Estate to the local and National Economy.

Goodwood Estate generates an estimated economic contribution of £435m into the national economy and £125m in tax contributions, of which £314m and £100m respectively benefit the local economy (2019 Study by London School of Economics). Consequently, one of the area's most significant providers of employment, homes and economic benefit, is under threat from inappropriate adjacent development. The Plan should ensure the benefits provided by Goodwood and its operations are sustained by appropriate policy protection and opportunity.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A16 Goodwood Motor Circuit and Airfield  
**Respondent:** The Goodwood Estates Company Limited [7922]  
**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Motor Circuit. The Estate requires a specific site policy to provide flexibility in operation and development whilst retaining an appropriate level of control to protect local residential and other amenities.

Airfield Policy content relating to Goodwood Airfield is supported but we ask that it is expanded to include specific reference to the safeguarding of runways and their operation, and support the changing role of General Aviation airfields and their future operations, including new technologies and STEM-related activities, in accordance with Government policy.

**Full text:**

Policy A16 Motor Circuit. The Estate has discussed the need for a specific site policy with the planning authority for some time, to provide flexibility in operation and development whilst retaining an appropriate level of control to protect local residential and other amenities.

Site activity, for the Motor Circuit in particular, is controlled through a planning permission, which while seeking to provide some flexibility, is proving difficult to use in practice when minor changes are required on an ad hoc basis or in response to consumer demand, even when the proposed change is within the spirit and intent of the permission. By its nature the permission is too precise to accommodate a business which requires flexibility, often at short notice.

An over-arching policy providing flexibility but also imposing firm parameters is a sound way forward and Policy A16 is supported as providing a robust starting point for further discussion and consideration. The Estate is keen to continue its engagement with the planning authority on this matter, ideally in advance of the Local Plan examination, to better understand the reasoning behind and likely interpretation of the four criteria listed in Policy A16. The Estate does not have issues with the criteria per se, but believes interpretation between the Estate and authority could be markedly different, particularly with regard changes to existing operations, rather than new development, to which the Policy responds appropriately.

The Estate has on a number of occasions, had to seek temporary changes to the planning permission, or reach agreement as permitted by the permission with the local authority in order to host events and activities which fall outside of the stated permission parameters, but which fit within the overarching intent and purpose of the consent. While this procedure retains planning control, it can be disproportionately time consuming, carries risk and lacks sufficient comfort when making investment decisions for events, long before there is any certainty of the proposal to take to the planning authority.

The Estate wishes to discuss how the requirement for flexibility within an existing scope of permitted activity can be achieved through a modification to Policy A16, and how the Policy criteria, supported as suitable for application to new development proposals, can be applied equally to existing activities and operations.

Policy A16 Airfield Policy content relating to Goodwood Airfield is supported generally but we ask that it is expanded to include reference to the safeguarding of runways and their operation, and support the changing role of General Aviation airfields and their future operations, including new technologies and STEM-related activities.

A safeguarding agreement with the planning authority has been in existence since 2015, following on-going dialogue with County and District authorities since before 1979 when a noise study was commissioned to understand operations and noise associated with the airfield, and which made specific reference to planning policies and noise sensitive developments in and around the Airfield.

Within the 2015 safeguarding agreement there are very clear buffers on height restriction in relation to runways and the other safeguarded surfaces around the Aerodrome. These are parameters to be considered in response to planning applications, yet are not referenced through the local plan, and we request these are included. This oversight places the future viability of the Aerodrome in question if these and other safeguarding requirements are not introduced through planning policy and overlooked.

This matter was highlighted in respect of the proposed housing development north of Madgwick Lane, which itself would remove one of few remaining open areas that can be used in the case of aircraft emergency, and would place housing directly beneath flight paths of aircraft at very low heights. A factor dismissed by the applicant on grounds of flimsy assumptions, far from proven. The risk that housing might yet materialise, or the absence of robust planning policy to resist any future development proposals, within safeguarded areas is sufficient to already cause aerodrome companies to consider their future.

Also absent and equally important for the consideration of planning applications is any reference to agreed Noise Routeings (NPRs). These routes stem from the original 1979 study (see extract attached by way of introduction to the document) and have been developed over many years through on-going discussions between the local authority, operators and the local community. Their effectiveness is monitored on a regular basis by a committee made up of those bodies.

The NPRs are a key material consideration in planning decisions locally. The NPRs are long established routes (since 1979) over largely undeveloped land for the reason of minimising noise and disturbance to the local community. Whilst the level of activity is variable, but explainable, in the intervening years, it is important for the Plan to acknowledge that the District Council and WSCC recognised then, and should continue to recognise the importance now, that noise routeings carrying aircraft away from noise sensitive areas, should be developed and maintained in the community interest

In recent years the NPRs without due policy protection have been encroached unreasonably and are becoming increasingly compromised, coming into conflict with the NPPF (paragraph 106f). If further land within an existing NPR is selected for development, it is not possible, as has been achieved in the past, to relocate the NPR to other open land. Now any movement will introduce many more households into a noise sensitive area. An Aerodrome such as Goodwood can only survive with the support of the local community that surrounds it, and introducing additional homes or other similar sensitive development into, or close to, an NPR is entirely against the philosophy of how an NPR is designed, constructed and should be used.

Reference to NPRs for Goodwood Airfield within the local plan is critical, with appropriate policy being offered to control development within or adjoining those routes. Within this reference attention should be drawn to the circuits flown from each runway of the airfield, and there should be a distinction between rotary and fixed wing operations due to the differing impacts on the surrounding community

To date the NPRs have helped minimise noise impact from departing aeroplanes, but the traffic pattern flown around the runways, even at points 2nm from the runways, should be a consideration in development decisions. This is not only from a noise perspective but also blight from continually overflying traffic (e.g housing at Tangemere will be so affected).

The policy should include references to its compliance with NPPF guidance, particularly Paragraph 106(f) and to align generally with Government policy about the importance of UK GA airfields.

**Change suggested by respondent:**

Policies affecting the Motor Circuit should provide flexibility in operation and development, whilst retaining an appropriate level of control to protect local residential and other amenities.

Policy affecting Goodwood Airfield should be expanded to include reference to the safeguarding in all forms of runways and their operation, and support the changing role of General Aviation airfields and their future operations as required by Government, including provision for new technologies and STEM-related activities.

Development parameters set by the 2015 safeguarding agreement should be included within planning policy for use in development decisions.

NPRs must be recognised and given weight in development decisions through their inclusion in planning policy

**Legally compliant:** Yes  
**Sound:** No  
**Comply with duty:** Yes  
**Attachments:** Extract from 1979 NOise Survey.docx - <https://chichester.oc2.uk/a/s4g>

## Support

**Document Element:** Policy A16 Goodwood Motor Circuit and Airfield  
**Respondent:** The Goodwood Estates Company Limited [7922]  
**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

Reference to the heritage of the site is most important as it is this heritage that adds significantly to its economic value. This is similar to a locally designated heritage asset adding additional value to a locality, but at the circuit, heritage underpins much of the economic asset and this should not be eroded through ill-placed new development

**Full text:**

Reference to the heritage of the site is most important as it is this heritage that adds significantly to its economic value. This is similar to a locally designated heritage asset adding additional value to a locality, but at the circuit, heritage underpins much of the economic asset and this should not be eroded through ill-placed new development

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified  
**Attachments:** None

## Object

**Document Element:** Policy A16 Goodwood Motor Circuit and Airfield  
**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

This location does not appear to be defined in the policies map. However, we highlight that the area is adjacent to a Strategic Wildlife Corridor, to the east of the airfield, and as such any proposals coming forward in that area should seek to ensure that they support the function of the Strategic Wildlife Corridor.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Propose additional policy requirement to A16/A17:

- Ensure that development avoids harm to protected species and existing important habitat features; facilitates the achievement of a minimum of 10% biodiversity net gain; and facilitates the creation of high levels of habitat connectivity within the site and to the wider green infrastructure network and identified strategic wildlife corridors. This includes the provision of appropriate buffers as necessary in relation to important habitats which are being retained and/or created.

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy A16 Goodwood Motor Circuit and Airfield  
**Respondent:** John Newman [8169]

**Summary:**

Re Policy A16, I write as a resident of Summersdale who finds the behaviour of Goodwood the one blighting factor of living there. Fortunately it is only really bad for a few weekends each year (and otherwise the grass mound built on their border opposite to us does really help), but on those occasions the noise from unsilenced cars that would otherwise be illegal and also of the tannoy system is intolerable. I know of people who feel driven from their homes on those weekends. It also occurs to me to ask what an authority that purports to care for the environment is doing to allow such high levels of noise and air pollution. I think that it should be looking after its citizens better than that rather than arguably being obsequious to the aristocracy. At least, mercifully, the latter means that a northern bypass will never be built!!!

**Full text:**

See attachment.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified  
**Sound:** Not specified  
**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/sj>

## Object

**Document Element:** Policy A16 Goodwood Motor Circuit and Airfield  
**Respondent:** Forestry Commission (Richard Cobb) [8202]

**Summary:**

Forestry Commission provides advice, does not support or object.

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

**Full text:**

Please note that as a Non-Ministerial Government Department, we provide no opinion supporting or objecting to planning applications or local plans including their soundness or legal compliance.

Rather we are including advice and information that we advise the Council consider to ensure their pre-submission local plan avoids potential impacts and promote enhancements/expansion as part of the proposed local plan regarding trees and woodland, including ancient woodland. We acknowledge that the purpose of Regulation 19 consultations does not usually extend to making substantial changes which are not related to soundness so we offer our advice as helpful guidance to ensure the local plan takes every opportunity to secure the protection, enhancement and expansion of Chichester's valuable trees and woodlands to comply with planning policy, good practice and to make the most of the many benefits they provide to the environment, local economy and community.

**Overall Comments**

Ancient woodlands, veteran and ancient trees are irreplaceable habitats, and it is essential that they are considered appropriately to avoid any direct or indirect effects that could cause their loss or deterioration, in line with Government Standing Advice. Ancient Woodland has very high potential ecological value and should act as integral focal points, alongside other locally and nationally designated sites, as part of delivering landscape scale nature recovery.

Any development or plan that include these irreplaceable habitats on or near to the site should aim to deliver high standards of net gains and ecological connectivity that supports wider ecological networks, in line with good practice. This will also be a requirement as part of the local nature recovery strategies being driven by the Environment Act 2021 and we advise that plans should anticipate this to maximise environmental benefits to contribute to reversing the national trend of ecological decline as part of broader nature recovery networks. The Local Plan should be considered as a crucial and timely opportunity to secure significant and strategic, plan-led environmental gains due to their scope and scale, particularly given the timescales of development being influenced that coincide with UK Government commitments regarding halving emissions and protecting 30% of nature by 2030, towards a net-zero carbon and nature positive economy.

The development strategy should prioritise the protection of trees and woodlands with the highest priority being given to ancient woodland, ancient and veteran trees as individual habitats and as part of wider ecological networks.

**Site Allocation comments:****Policy A7 Land at Shopwyke (Oving Parish)**

Site specific considerations could recognise the existing trees, hedgerows and woodland and prioritise their protection, enhancement and expansion as part of biodiversity net gains. Acoustic screening referred to could also use trees to make the most of multi-functional benefits they bring.

**Policy A8 Land East of Chichester**

We welcome efforts to bolster the existing woodland and the proposed strategic wildlife corridor to the East and the enhancements that development could bring.

**Policy A11 Highgrove Farm, Bosham**

Bolster planting to North, South and East is welcome. This policy could be improved by requiring bolster planting to the West as well, where there appears to be an existing line of trees, making it well placed to further contribute to wider connectivity with existing and additional planting.

**Policy A12 Chidham and Hambrook and Policy A13 Southbourne Broad Location for Development**

We note that more detailed proposals will emerge as part of a Neighbourhood plans. We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this). The policy could be improved by highlighting its importance and high priority as part of efforts to protect, enhance, expand and connect habitats as part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area. The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development

**Policy A14 Land West of Tangmere**

The requirement for significant levels of green infrastructure is welcome. This policy could be strengthened by requiring development to retain and bolster existing hedgerows and trees wherever possible.

**Policy A16 Goodwood Motor Circuit and Airfield and Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield**

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

**Policy A21 Land east of Rolls Royce**

This area contains areas of existing trees, hedgerow and woodland which are not currently mentioned by the policy. We would encourage any development to be sensitive to this and provide additional planting where possible.

**Overarching comments**

We would welcome the consideration of incorporating large and small pockets of multi-functional woodland as part of green infrastructure provision for development, particularly given the relatively low proportion of woodland found throughout the District, and the benefits this can have as 'stepping stones' between habitats as part of the Local Plan's welcome vision of strategic wildlife corridors.

We also encourage the Council to appraise the plan against the following advice to maximise the benefits from protection, enhancement and expansion of woodlands, trees and connectivity throughout the District:

**Additional improvements to consider**

- Tree/hedgerow removal is considered as a last resort but where it is justified, we advise that developments can aim to deliver no net deforestation to help encourage development that provides an overall environmental gain. Where trees are required to be removed, additional tree planting will be made to compensate for this loss and we would advise that additional planting should be made to help compensate for the loss of habitat in the time it takes for new trees to mature.
- Long term management and maintenance of planted trees and woodland creation to give them every chance to becoming established and where

trees do fail, they are replaced

- A minimum standard for tree canopy cover for new developments (e.g. for large-scale developments) as it provides a targetable level of green infrastructure in relation to trees for the numerous ecosystem services they provide.
- Precautions should be incorporated into any woodland design and tree planting to ensure that habitat creation is established successfully and that potential impacts from deer are managed on site and in the surrounding area as appropriate. See here for further guidance that should be followed for managing impacts from deer as part of woodland creation and tree planting: <https://www.gov.uk/government/publications/woodland-creation-and-mitigating-the-impacts-of-deer/woodland-creation-and-mitigating-the-impacts-of-deer> Some good practice advice is also provided in Appendix 1 of this letter.
- We advise that any tree planting should meet the following:
  - o Trees should be healthy and good practice biosecurity should be followed to prevent the risk of spreading pests and disease, in line with Government advice: <https://www.gov.uk/government/collections/tree-pests-and-diseases>. More information on the plant healthy can be found at: Welcome to Plant Healthy - Plant Healthy
  - o Created or restored habitat should be managed in perpetuity in line with a robust management plan that follows good practice to ensure assumed benefits of created habitats are delivered in practice (see Standing Advice referred to on page 1). We recommend meeting the UK Forestry Standard to demonstrate this.
- To help mitigate climate and support local economy would urge council to develop local plan policy that makes use of locally sourced timber. This has multiple benefits as it can help store carbon within development, reduce impact from transportation, reduce embodied carbon from alternative materials and support local economies and communities.
- Where developments incorporate District Heating, consider locally and sustainably sourced wood-fuels for the benefits this can have for renewable energy and towards a local, circular economy
- Use tree planting as part of nature based solutions for managing flood risk as well as other multi-functional benefits from green infrastructure as part of any development (e.g. Trees and woodlands provide £400 million of value in flood protection)
- We encourage the Council to refine their strategy to trees and woodlands using the recently launched 'Trees and Woodland Strategy Toolkit' available here: <https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/> to design and deliver a local tree strategy to harness the long-term benefits that trees can bring to local communities. The local plan should be developed with tree/woodlands in mind as an integral part, alongside other supplementary strategies for the environment including biodiversity, green infrastructure, nature recovery and climate change.

Key guidance regarding trees, woodland and development

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 180(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In considering the impacts of the development on Ancient Woodland, Ancient and Veteran trees, the planning authority should consider direct and indirect impacts resulting from both construction and operational phases.

Please refer to Natural England and Forestry Commission joint Standing Advice for Ancient Woodland and Ancient and Veteran Trees, updated in January 2022. The Standing Advice can be a material consideration for planning decisions, and contains advice and guidance on assessing the effects of development, and how to avoid and mitigate impacts. It also includes an Assessment Guide which can help planners assess the impact of the proposed development on ancient woodland or ancient and veteran trees in line with the NPPF.

Existing trees should be retained wherever possible, and opportunities should be taken to incorporate trees into development. Trees and woodlands provide multiple benefits to society such as storing carbon, regulating temperatures, strengthening flood resilience and reducing noise and air pollution.[1] Paragraph 131 of the NPPF seeks to ensure new streets are tree lined, that opportunities should be taken to incorporate trees elsewhere in developments, and that existing trees are retained wherever possible. Appropriate measures should be in place to secure the long-term maintenance of newly planted trees. The Forestry Commission may be able to give further support in developing appropriate conditions in relation to woodland creation, management or mitigation.

Biodiversity Net Gain (BNG): Paragraph 174(d) of the NPPF sets out that planning (policies and) decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 180(d) encourages development design to integrate opportunities to improve biodiversity, especially where this can secure net gains for biodiversity. A requirement for most development to deliver a minimum of 10% BNG is expected to become mandatory from November 2023. The planning authority should consider the wide range of benefits trees, hedgerows and woodlands provide as part of delivering good practice biodiversity net gain requirements. Losses of irreplaceable or very high distinctiveness habitat cannot adequately be accounted for through BNG.

Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Forestry Commission Planning Guidance Annex 1.pdf - <https://chichester.oc2.uk/a/t5r>

**Support**

**Document Element:** Policy A16 Goodwood Motor Circuit and Airfield

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support this policy in principle. However, a lot more needs to be done to reduce the amount of people arriving by car for events which impacts a very wide area with serious congestion pollution and climate damage.

Therefore, before there is any further development it is critical that measures are taken to facilitate reliable journey times by bus and coach, especially from local railway stations. Pricing measures need to be put in place to reflect the economic cost of travelling by car and encourage travel by public transport. Event organisers should be encouraged to provide free bus and coach travel from railway stations paid for by parking fees.

**Full text:**

See attached.

Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>



## Support

**Document Element:** Development within the vicinity of Goodwood Motor Circuit and Airfield, 10.75

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

It is important to recognise the operation of Goodwood Motor Circuit and Aerodrome is reliant upon the land around it. Use of that land for other purposes presents a potential constraint to operations. The Estate is keen to ensure the land remains open where required (e.g. to provide open land for aircraft emergency or for parking and other uses associated with events) and for new landscape works - including extension of wildlife corridors. The 400m buffer, as extended as we suggest through other representations, comprises the remaining open area between Chichester City and the National Park, which should be conserved.

**Full text:**

It is important to recognise the operation of Goodwood Motor Circuit and Aerodrome is reliant upon the land around it. Use of that land for other purposes presents a potential constraint to operations. The Estate is keen to ensure the land remains open where required (e.g. to provide open land for aircraft emergency or for parking and other uses associated with events) and for new landscape works - including extension of wildlife corridors. The 400m buffer, as extended as we suggest through other representations, comprises the remaining open area between Chichester City and the National Park, which should be conserved.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

**Respondent:** Pam Clingan [7180]

**Agent:** Eric Brandwood [8114]

**Summary:**

Policy impacts respondent's land to the south of Madgwick Lane, Westhampnett;  
Land discounted for housing development due to Goodwood safeguarding flight path;  
Decision based on an unsound and legal assumption that flight path crosses land;  
Collated evidence shows decision (based on joining two separate land parcels) was flawed;

The Council are using this policy, or its current form in the Adopted Local Plan, to illegally exclude my Land from legitimate Housing Development.

Previous assessment under the HELAA/SHLAA arrangements accepted the Land as two entities and allocated housing numbers. (see HELAA 2014/2018 in attached document)

**Full text:**

Policy A17

This Policy impacts my Land to the south of Madgwick Lane, Westhampnett' The Land was discounted for housing development and the reason given was, Goodwood safeguarding flight path.' This decision was based on an unsound and legal assumption that the flight path crosses my land. Evidence has been collated in the attached report prepared by my Agent, to show clearly that the decision was flawed as the flight path quite clearly crosses the roundabout at Claypit Lane and does not cross my Land. The Council by illegally joining together my two parcels of Land into one, by extension applied this reason for discounting the Land for housing. The two parcels of Land are registered with Land Registry under two legal entities.

Policy A17 states that , 'Where noise sensitive development is proposed within this area, or BELOW NOISE PREFERRED ROUTES, planning permission will only be granted where the noise impact assessment clearly shows that: para 3, in accordance with the 'agent of change' principle outlined in the National Planning Policy Framework.

The Council are using this policy, or its current form in the Adopted Local Plan, to exclude illegally my Land from legitimate Housing Development. Previous assessment under the HELAA/SHLAA arrangements accepted the Land as two entities and allocated housing numbers. (see HELAA 2014/2018 in attached document).

**Change suggested by respondent:**

Correction of an unsound, and illegal procedure, flawed, factually incorrect decision to rescind HELAA.

To prevent such decisions being made to exclude legitimate sites for development. See the attached document stating reasons for reinstating unsound exclusion of site for inclusion in the HELAA/SHLAA assessments.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Representation Form - redacted - <https://chichester.oc2.uk/a/swq>  
SHLAA and HELAA Statement - <https://chichester.oc2.uk/a/sfr>

## Object

**Document Element:** Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

This location does not appear to be defined in the policies map. However, we highlight that the area is adjacent to a Strategic Wildlife Corridor, to the east of the airfield, and as such any proposals coming forward in that area should seek to ensure that they support the function of the Strategic Wildlife Corridor.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Propose additional policy requirement to A16/17:

- Ensure that development avoids harm to protected species and existing important habitat features; facilitates the achievement of a minimum of 10% biodiversity net gain; and facilitates the creation of high levels of habitat connectivity within the site and to the wider green infrastructure network and identified strategic wildlife corridors. This includes the provision of appropriate buffers as necessary in relation to important habitats which are being retained and/or created.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

An Assessment of Motor Circuit and General Aviation Noise Criteria Evaluation for Future Development for Chichester District Council' concluded that, taking into account the complex combination of noise-generating activities taking place within the site, a 400m buffer between the site and any proposals for noise-sensitive development should be maintained.

Within the 400m buffer, a general presumption against noise-sensitive development should be maintained unless it can be clearly demonstrated that the development will achieve acceptable appropriate internal and external amenity standards with regard to noise and disturbance experienced, taking into account the particular characteristics of the noise emanating from the site.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.
2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.
3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.
4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.
5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented.. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious

harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.

7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.

8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?

9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.

10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.

11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: “you get what you measure”.

12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour’s condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.

13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.

14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The importance of recognising the operation of Goodwood Motor Circuit and Aerodrome is supported, but operations are reliant upon the land around it. Use of that land for other purposes presents a potential constraint to operations. The Estate is keen to ensure the land remains open where required and requests the Map accompanying this Policy (A16a) should be amended to ensure the policy boundary includes protection of this land

**Full text:**

The importance of recognising the operation of Goodwood Motor Circuit and Aerodrome is supported, but operations are reliant upon the land around it. Use of that land for other purposes presents a potential constraint to operations. The Estate is keen to ensure the land remains open where required and requests the Map accompanying this Policy (A16a) should be amended to ensure the policy boundary includes protection of this land

**Change suggested by respondent:**

The Plan Map accompanying this Policy (A16a) should be amended to ensure the policy boundary includes protection of land used in conjunction with the operation of the Circuit and airfield. The boundary to be defined in discussion with the Estate

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

**Summary:**

The changes proposed in this local plan review are welcomed in so far as they support the Estate's continued opposition to the development, but further changes are believed to be necessary in Chapter 10 to ensure policies safeguarding the airfield and circuit and local communities living around them are robust.

**Full text:**

Chapter 8 should make reference to the role of aviation in transportation. The NPPF (paragraph 106f) requires local planning policies to: "recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy." The plan does not make such references and is therefore not compliant with the NPPF and consequently is unsound.

Goodwood Aerodrome is a general aviation airfield.

Moreover, the plan should make provision for how aviation is likely to change in the future, with technological advances, not only in terms of being more accessible to the public for sport and recreation, but also the impact of STEM activities and their important role in future aviation and the advance of drone and similar technologies. Goodwood Airfield is closely and actively engaged with developers of such technology and this is likely to become an increasing sector of the Estate's business.

General aviation airfields, such as Goodwood, frequently have sufficient land available for new aviation-related facilities (unlike constrained commercial airfields) and provide a major infrastructure resource. Unfortunately, this benefit is often overlooked in planning policies, and many airfields are subjected to threats of redevelopment – for reasons of viability fuelled by a high demand for housing land- and increasing resistance to developments supporting aerodrome business (such as potential noise and disturbance to adjoining residential areas)

Local political reaction to activities at many general aviation airfields has led to the introduction of restrictive planning policies, many related to noise and disturbance and a fear of expansion. Goodwood airfield is no exception, but it has worked with the local community over many years to reach an operational position that provides a balance between continued operation and protection of local amenities. Unfortunately in recent years, particularly as a result of an ill-founded strategic development allocation in the previous local plan, that operational balance is coming under further strain and cannot be further adjusted.

A position is fast approaching where operations at the airfield and motor circuit could be compromised unacceptably by the encroachment of new development, in particular housing development. This was ably demonstrated by the speculative housing proposal north of Madgwick Lane to which both the Estate and planning authority objected for reason, amongst many others, potential noise disturbance, safety concerns and operational constraints which contributed to an unacceptable 'agent of change' situation.

The proposal was subject to public inquiry and a finely balanced decision was granted in favour of development by the inspector for reason of the benefits of new housing outweighing the potential harm to Goodwood operations, on grounds that the (unproven) mitigation offered by the developer will be both provided and be effective, and we suggest, a misunderstanding of the true impacts of existing operations.

The Estate will continue to oppose the development for sound planning reasons that the mitigation offered and based on inaccurate evidence, will be inadequate and ineffective in addressing the concerns raised by the Estate and planning authority.

**Change suggested by respondent:**

We suggest (in representations to site-specific policies in Chapter 10) further changes to the local plan which would reinforce the current, workable, arrangements, but also indicate where further developments around the airfield could result in further undue restrictions on operations to the detriment of Estate business and with it very serious consequences for the district economy.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

**Object****Document Element:** Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield**Respondent:** The Goodwood Estates Company Limited [7922]**Agent:** HMPC Ltd (Mr Haydn Morris) [112]**Summary:**

Reference to the 400m buffer zone, is welcomed, but a more robust policy should be introduced.

The buffer is too simplistic and interpreted as supporting development proposed up to the 400m limit.

The buffer should respond more appropriately to facts on the ground, and to the existing safeguarding NPRs which exist.

Land immediately to the south of the airfield between it and the river should remain as open land, for aircraft safety and for community amenity and landscape benefits.

**Full text:**

Reference to the 400m buffer zone, and its inclusion in policy A17 is understood and welcomed, but we question if, as part of this local plan, a more robust area of control can be created. The 400m distance was a useful 'rule of thumb' generated in the absence of any other policy restricting sensitive or particularly harmful development in close proximity to the circuit and airfield, but it is appropriate to replace it with a more considered and robust policy parameter.

It is unfortunate that in drawing a limit on a plan, developers are interpreting the constraint as supporting development at any point beyond 400m from the site boundary. This is too simplistic and gave rise to the problems encountered with the proposed development north of Madgwick Lane, with development proposed up to the 400m limit because it was interpreted as being acceptable in policy terms. On the ground this was not the case with issues of noise and disturbance from overflying aircraft, and aircraft safety issues rendering development beyond the 400m in this location equally unacceptable.

The Estate would welcome the opportunity to discuss and agree with the planning authority a more robust buffer zone around the airfield and motor circuit, that responds more appropriately to facts on the ground, and to the existing safeguarding NPRs which exist.

Development, of a form other than housing, and not sensitive to noise from the circuit and aircraft movements could be developed closer to the site than 400m in some locations, while in others the 400m limit should be extended (following NPRs for example). Land immediately to the south of the airfield between it and the river should however remain as open land, both for aircraft safety considerations and for community amenity and landscape benefits.

Open land around the airfield that is most likely to be used in the case of aircraft emergency, should be included in the development exclusion zone and identified as open space and or land of landscape importance (the area identified as "Land removed from existing site allocation" on Map A9a fits such a category).

**Change suggested by respondent:**

The 400m buffer should be reconsidered and replaced with a more robust policy that offers a true reflection and response to noise and safety concerns.

Land likely to be used in cases of aircraft emergency should be kept open and free from development.

**Legally compliant:** Yes**Sound:** No**Comply with duty:** Yes**Attachments:** None**Object****Document Element:** Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield**Respondent:** Forestry Commission (Richard Cobb) [8202]**Summary:**

Forestry Commission provides advice, does not support or object.

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

**Full text:**

Please note that as a Non-Ministerial Government Department, we provide no opinion supporting or objecting to planning applications or local plans including their soundness or legal compliance.

Rather we are including advice and information that we advise the Council consider to ensure their pre-submission local plan avoids potential impacts and promote enhancements/expansion as part of the proposed local plan regarding trees and woodland, including ancient woodland. We acknowledge that the purpose of Regulation 19 consultations does not usually extend to making substantial changes which are not related to soundness so we offer our advice as helpful guidance to ensure the local plan takes every opportunity to secure the protection, enhancement and expansion of Chichester's valuable trees and woodlands to comply with planning policy, good practice and to make the most of the many benefits they provide to the environment, local economy and community.

**Overall Comments**

Ancient woodlands, veteran and ancient trees are irreplaceable habitats, and it is essential that they are considered appropriately to avoid any direct or indirect effects that could cause their loss or deterioration, in line with Government Standing Advice. Ancient Woodland has very high potential ecological value and should act as integral focal points, alongside other locally and nationally designated sites, as part of delivering landscape scale nature recovery.

Any development or plan that include these irreplaceable habitats on or near to the site should aim to deliver high standards of net gains and ecological connectivity that supports wider ecological networks, in line with good practice. This will also be a requirement as part of the local nature recovery strategies being driven by the Environment Act 2021 and we advise that plans should anticipate this to maximise environmental benefits to contribute to reversing the national trend of ecological decline as part of broader nature recovery networks. The Local Plan should be considered as a crucial and timely opportunity to secure significant and strategic, plan-led environmental gains due to their scope and scale, particularly given the timescales of development being influenced that coincide with UK Government commitments regarding halving emissions and protecting 30% of nature by 2030, towards a net-zero carbon and nature positive economy.

The development strategy should prioritise the protection of trees and woodlands with the highest priority being given to ancient woodland, ancient and veteran trees as individual habitats and as part of wider ecological networks.

Site Allocation comments:

Policy A7 Land at Shopwyke (Oving Parish)

Site specific considerations could recognise the existing trees, hedgerows and woodland and prioritise their protection, enhancement and expansion as part of biodiversity net gains. Acoustic screening referred to could also use trees to make the most of multi-functional benefits they bring.

Policy A8 Land East of Chichester

We welcome efforts to bolster the existing woodland and the proposed strategic wildlife corridor to the East and the enhancements that development could bring.

Policy A11 Highgrove Farm, Bosham

Bolster planting to North, South and East is welcome. This policy could be improved by requiring bolster planting to the West as well, where there appears to be an existing line of trees, making it well placed to further contribute to wider connectivity with existing and additional planting.

Policy A12 Chidham and Hambrook and Policy A13 Southbourne Broad Location for Development

We note that more detailed proposals will emerge as part of a Neighbourhood plans. We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this). The policy could be improved by highlighting its importance and high priority as part of efforts to protect, enhance, expand and connect habitats as part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area. The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development

Policy A14 Land West of Tangmere

The requirement for significant levels of green infrastructure is welcome. This policy could be strengthened by requiring development to retain and bolster existing hedgerows and trees wherever possible.

Policy A16 Goodwood Motor Circuit and Airfield and Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

Policy A21 Land east of Rolls Royce

This area contains areas of existing trees, hedgerow and woodland which are not currently mentioned by the policy. We would encourage any development to be sensitive to this and provide additional planting where possible.

Overarching comments

We would welcome the consideration of incorporating large and small pockets of multi-functional woodland as part of green infrastructure provision for development, particularly given the relatively low proportion of woodland found throughout the District, and the benefits this can have as 'stepping stones' between habitats as part of the Local Plan's welcome vision of strategic wildlife corridors.

We also encourage the Council to appraise the plan against the following advice to maximise the benefits from protection, enhancement and expansion of woodlands, trees and connectivity throughout the District:

Additional improvements to consider

- Tree/hedgerow removal is considered as a last resort but where it is justified, we advise that developments can aim to deliver no net deforestation to help encourage development that provides an overall environmental gain. Where trees are required to be removed, additional tree planting will be made to compensate for this loss and we would advise that additional planting should be made to help compensate for the loss of habitat in the time it takes for new trees to mature.
- Long term management and maintenance of planted trees and woodland creation to give them every chance to becoming established and where trees do fail, they are replaced
- A minimum standard for tree canopy cover for new developments (e.g. for large-scale developments) as it provides a targetable level of green infrastructure in relation to trees for the numerous ecosystem services they provide.
- Precautions should be incorporated into any woodland design and tree planting to ensure that habitat creation is established successfully and that potential impacts from deer are managed on site and in the surrounding area as appropriate. See here for further guidance that should be followed for managing impacts from deer as part of woodland creation and tree planting: <https://www.gov.uk/government/publications/woodland-creation-and-mitigating-the-impacts-of-deer/woodland-creation-and-mitigating-the-impacts-of-deer> Some good practice advice is also provided in Appendix 1 of this letter.
- We advise that any tree planting should meet the following:
  - o Trees should be healthy and good practice biosecurity should be followed to prevent the risk of spreading pests and disease, in line with Government advice: <https://www.gov.uk/government/collections/tree-pests-and-diseases>. More information on the plant healthy can be found at: Welcome to Plant Healthy - Plant Healthy
  - o Created or restored habitat should be managed in perpetuity in line with a robust management plan that follows good practice to ensure assumed benefits of created habitats are delivered in practice (see Standing Advice referred to on page 1). We recommend meeting the UK Forestry Standard to demonstrate this.
- To help mitigate climate and support local economy would urge council to develop local plan policy that makes use of locally sourced timber. This has multiple benefits as it can help store carbon within development, reduce impact from transportation, reduce embodied carbon from alternative materials and support local economies and communities.
- Where developments incorporate District Heating, consider locally and sustainably sourced wood-fuels for the benefits this can have for renewable energy and towards a local, circular economy
- Use tree planting as part of nature based solutions for managing flood risk as well as other multi-functional benefits from green infrastructure as part of any development (e.g. Trees and woodlands provide £400 million of value in flood protection)
- We encourage the Council to refine their strategy to trees and woodlands using the recently launched 'Trees and Woodland Strategy Toolkit' available here: <https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/> to design and deliver a local tree strategy to harness the long-term benefits that trees can bring to local communities. The local plan should be developed with tree/woodlands in mind as an integral part, alongside other supplementary strategies for the environment including biodiversity, green infrastructure, nature recovery and climate change.

Key guidance regarding trees, woodland and development

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 180(c) of the NPPF sets out that development resulting in the

loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In considering the impacts of the development on Ancient Woodland, Ancient and Veteran trees, the planning authority should consider direct and indirect impacts resulting from both construction and operational phases.

Please refer to Natural England and Forestry Commission joint Standing Advice for Ancient Woodland and Ancient and Veteran Trees, updated in January 2022. The Standing Advice can be a material consideration for planning decisions, and contains advice and guidance on assessing the effects of development, and how to avoid and mitigate impacts. It also includes an Assessment Guide which can help planners assess the impact of the proposed development on ancient woodland or ancient and veteran trees in line with the NPPF.

Existing trees should be retained wherever possible, and opportunities should be taken to incorporate trees into development. Trees and woodlands provide multiple benefits to society such as storing carbon, regulating temperatures, strengthening flood resilience and reducing noise and air pollution.[1] Paragraph 131 of the NPPF seeks to ensure new streets are tree lined, that opportunities should be taken to incorporate trees elsewhere in developments, and that existing trees are retained wherever possible. Appropriate measures should be in place to secure the long-term maintenance of newly planted trees. The Forestry Commission may be able to give further support in developing appropriate conditions in relation to woodland creation, management or mitigation.

Biodiversity Net Gain (BNG): Paragraph 174(d) of the NPPF sets out that planning (policies and) decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 180(d) encourages development design to integrate opportunities to improve biodiversity, especially where this can secure net gains for biodiversity. A requirement for most development to deliver a minimum of 10% BNG is expected to become mandatory from November 2023. The planning authority should consider the wide range of benefits trees, hedgerows and woodlands provide as part of delivering good practice biodiversity net gain requirements. Losses of irreplaceable or very high distinctiveness habitat cannot adequately be accounted for through BNG.

**Change suggested by respondent:**

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Forestry Commission Planning Guidance Annex 1.pdf - <https://chichester.oc2.uk/a/t5r>

## Object

**Document Element:** Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

**Respondent:** CEG and the Landowners (D C Heaver and Eurequity IC Limited) [7854]

**Agent:** CEG and the Landowners (D C Heaver and Eurequity IC Limited) (Hywel James, Associate Director) [7398]

**Summary:**

Objects to the presumption against development within the 400m buffer

**Full text:**

Please see attached representations.

**Change suggested by respondent:**

Amend to: Where noise-sensitive development is proposed in the vicinity of Goodwood Motor Circuit and Airfield, planning permission will only be granted where the noise impact assessment clearly shows that:

1. An acceptable level of amenity, by reason of expected experienced noise and disturbance, will be provided for the future occupiers of the noise-sensitive development within both internal and external areas of the development; and

2. the development will not compromise the safe and continued operation of Goodwood Circuit and Airfield in accordance with the 'agent of change' principle outlined in the National Planning Policy Framework. In considering the above, the council shall assess any cumulative impact of relevant noise sources, such as but not necessarily limited to, road traffic, motor circuit, airfield and any other neighbouring activities that has the potential to give rise to an adverse noise impact. Consideration shall be given to site specifics and to any particular characteristic of identified noise sources,

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** No

**Attachments:** Policy A17 Representations.pdf - <https://chichester.oc2.uk/a/s7j>

## Object

**Document Element:** Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield

**Respondent:** CEG and the Landowners (D C Heaver and Eurequity IC Limited) [7854]

**Agent:** CEG and the Landowners (D C Heaver and Eurequity IC Limited) (Hywel James, Associate Director) [7398]

**Summary:**

Object to criterion 2 which introduces a requirement to avoid an adverse impact on design

**Full text:**

Please see attached representations.

**Change suggested by respondent:**

Remove criterion 2

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Policy A17 Representations.pdf - <https://chichester.oc2.uk/a/s7j>

## Support

**Document Element:** Policy A18 Thorney Island

**Respondent:** Chichester Harbour Conservancy (Dr Richard Austin, AONB Manager) [796]

**Summary:**

This is a well-written policy.

**Full text:**

This is a well-written policy.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A18 Thorney Island

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT was expecting this policy to acknowledge the potential for this area to be delivering a habitat creation scheme in the form of coastal realignment in the south western edge of the barracks . Also, given the coastal policies presented in the plan, does CDC not feel these should be referenced within the policy in order for it to be consistent with spatial aspirations of the plan.

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy A18 Thorney Island

**Respondent:** Mayday! Action Group (John Garrett) [7163]

**Summary:**

This is a very low lying area and is extremely environmentally sensitive. It has been earmarked as a zone for being suitable for a Managed Retreat in mitigating against flooding from raising sea levels. It would be incomprehensible to allow any development in this part of the AONB. Additionally, the seawall that protects the peninsula is nothing more than an earth bund with building rubble dumped along lengthy sections of the seaward side of the wall. The singular access to Thorney Island is at its intersection with the A259 is reduced to one lane due to residential parking, therefore is not a long term solution.

**Full text:**

Executive Summary

The Local Plan as written lacks ambition and vision, and will be detrimental to the landscape within which the district lies. It is a plan borne out of a need to produce a legal document which will satisfy the regulatory authorities. In terms of Urban Planning it fails "To meet the needs of the present without compromising the ability of future generations to meet their own needs" (NPPF).

The development that will consequentially arise from the deployment of such a made Local Plan is not sustainable. It will adversely affect the Character, Amenity and Safety of the built environment, throughout our district.

In particular, the Local Plan is inadequate for the needs of the people in the district both at present and in the future because –

1. It has been written in advance of the District having a properly formed and agreed Climate Emergency Action Plan. It is inconceivable that such a key document will not shape our Local Plan. It is this Action Plan that is needed first in order to provide the long-term strategic view as to how and what the District will look like in the future; this, in turn, will help form and shape the policies outlined in any prospective, Local Plan. The Plan as proposed is moribund, as a result of "cart before the horse" thinking.

2. The Local Plan as written does not adequately address how infrastructure, transport and services are going to be materially and strategically improved to meet the predicted growth and shift to a significantly ageing population. There is presently insufficient capacity to supply services and to have adequate people and environmentally friendly connectivity, as a direct result of decades of neglect towards investing in infrastructure and services to meet the needs of the District's population. We are led to believe that developers through increased levies in order to gain permission to build will fulfil this need, but all that this will result in is an uncoordinated, dysfunctional mess completely lacking in any future-proof master planning approach. We contend that this will do nothing for the quality of life of Chichester District residents and it will create a vacuum whereby few if indeed any can be held accountable or indeed found liable for shortcomings in the future.

3. The Local Plan as written does not state how it will go about addressing the need to create affordable homes. The District Council's record on this matter since the last made plan has been inadequate and now the creation of affordable homes has become urgent as political/economic/social factors drive an ever increasing rate of change within the District.

4. Flood risks assessments used in forming the Plan are out of date (last completed in 2018) and any decision to allocate sites is contrary to Environment Agency policy. Additionally, since March 2021 Natural England established a position in relationship to 'Hold the Line' vs. 'Managed Retreat' in environmentally sensitive areas, of which the Chichester Harbour AONB is a significant example. CDC have failed to set out an appropriate policy within the proposed Local Plan that addresses this requirement.



5. The A27 needs significant investment in order to yield significant benefits for those travelling through the East-West corridor; this is unfunded. Essential improvements to the A27 are key to the success of any Local Plan particularly as the city's ambitions are to expand significantly in the next two decades. But any ambitions will fall flat if the A27 is not improved before such plans are implemented. The A259 is an increasingly dangerous so-called 'resilient road' with a significant increase in accidents and fatalities in recent years. In 2011, the BBC named the road as the "most crash prone A road" in the UK. There is nothing in the Local Plan that addresses this issue. There is no capacity within the strategic road network serving our district to accommodate the increase in housing planned, and the Local Plan does not guarantee it.
6. There is insufficient wastewater treatment capacity in the District to support the current houses let alone more. The tankering of wastewater from recent developments that Southern Water has not been able to connect to their network and in recent months the required emergency use of tankers to pump out overflowing sewers within our City/District reflects the gross weakness of short-termism dominated thinking at its worst and is an indictment of how broken our water system is. The provision of wastewater treatment is absolutely critical and essential to the well-being of all our residents and the long-term safety of our built environment. The abdication by those in authority, whether that be nationally, regionally or locally, is causing serious harm to the people to whom those in power owe a duty of care and their lack of urgency in dealing properly with this issue is seriously jeopardizing the environment in which we and all wildlife co-exist.
7. Settlement Boundaries should be left to the determination of Parish Councils to make and nobody else. The proposed policy outlined in the Local Plan to allow development on plots of land adjacent to existing settlement boundaries is ill-conceived and will lead to coalescence which is in contradiction of Policy NE3.
8. All the sites allocated in the Strategic Area Based Policies appear to be in the majority of cases Greenfield Sites. The plan makes little, if any reference to the development of Brownfield sites. In fact, there is not a Policy that relates to this source of land within the Local Plan as proposed. Whilst in the 2021 HELAA Report sites identified as being suitable for development in the District as being Brownfield sites were predicted to yield over 4000 new dwellings. Why would our Local Plan not seek to develop these sites ahead of Greenfield sites?
9. The Local Plan does not define the minimum size that a wildlife corridor should be in width. What does close proximity to a wildlife corridor mean? How can you have a policy (NE 4) that suggests you can have development within a wildlife corridor? These exceptions need to have clear measures and accountability for providing evidence of no adverse impact on the wildlife corridor where a development is proposed. Our view is quite clear. Wildlife and indeed nature in the UK is under serious and in the case of far too many species, potentially terminal threat. Natural England has suggested that a Wildlife Corridor should not be less than 100metres wide. The proposed Wildlife Corridors agreed to by CDC must be enlarged and fully protected from any development. This is essential and urgent for those Wildlife Corridors which allow wildlife to achieve essential connectivity between the Chichester Harbour AONB and the South Downs National Park.
10. Biodiversity Policy NE5 - This is an absolute nonsense. If biodiversity is going to be harmed there should be no ability to mitigate or for developers to be able to buy their way out of this situation. This mindset is exactly why we are seeing a significant decline in biodiversity in the District which should be a rich in biodiversity area and why the World Economic Forum Report (2023) cites the UK as one of the worst countries in the world for destroying its biodiversity.
11. In many cases as set out in the Policies the strategic requirements lack being SMART in nature – particularly the M Measurable. These need to be explicit and clear: "you get what you measure".
12. 65% of the perimeter of the District of Chichester south of the SDNP is coastal in nature. The remainder being land-facing. Policy NE11 does not sufficiently address the impact of building property in close proximity to the area surrounding the harbour, something acknowledged by the Harbour Conservancy in a published report in 2018 reflecting upon how surrounding the harbour with housing was detrimental to its long-term health. And here we are 5 years on and all of the organizations that CDC are saying that they are working in collaboration with, to remedy the decline in the harbour's condition, are failing to implement the actions necessary in a reasonable timescale. CDC are following when they should be actually taking the lead on the issue. Being followers rather than leaders makes it easy to abdicate responsibility. There must be full and transparent accountability.
13. The very significant space constraints for the plan area must be taken into account. The standard methodology need no longer apply where there are exceptional circumstances and we are certain that our District should be treated as a special case because of the developable land area is severely reduced by the South Downs National Park (SDNP) to the north and the unique marine AONB of Chichester Harbour to the south. A target of 535dpa is way too high. This number should be reduced to reflect the fact that only 30% of the area can be developed and much of that is rural/semi-rural land which provides essential connectivity for wildlife via a number of wildlife corridors running between the SDNP and the AONB. Excessive housebuilding will do irretrievable damage to the environment and lead to a significant deterioration in quality of life for all who reside within the East / West corridor.
14. Many of the sites identified in the Strategic & Area Based Policies could result in Grade 1 ^ 2 farmland being built upon. The UK is not self-sufficient in our food security. It is short-sighted to expect the world to return to what we have come to expect. Our good quality agricultural land should not all be covered with non-environmentally friendly designed homes.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Draft LP Mayday Submission Final - <https://chichester.oc2.uk/a/skf>

## Object

**Document Element:** Policy A18 Thorney Island

**Respondent:** Environment Agency (Miss Anna Rabone, Sustainable Places Technical Specialist) [7883]

**Summary:**

We are supportive of the addition of wording regarding supporting opportunities for habitat creation, as per our comments at the Regulation 18 consultation. However, the Local Authority will be aware of the ambitions for this area for a habitat creation scheme through managed realignment of the coast at the south-western edge of the barracks (information page is here - <https://consult.environment-agency.gov.uk/solent-and-south-downs/thorney-island-habitat-creation-scheme-information/>). There could be clearer reference to development not hindering or impacting upon such scheme.

**Full text:**

We are supportive of the addition of wording regarding supporting opportunities for habitat creation, as per our comments at the Regulation 18 consultation. However, the Local Authority will be aware of the ambitions for this area for a habitat creation scheme through managed realignment of the coast at the south-western edge of the barracks (information page is here - <https://consult.environment-agency.gov.uk/solent-and-south-downs/thorney-island-habitat-creation-scheme-information/>). There could be clearer reference to development not hindering or impacting upon such scheme.

**Change suggested by respondent:**

There could be clearer reference to development not hindering or impacting upon the Thorney Island Habitat Creation Scheme.

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Yes

**Attachments:** None

## Support

**Document Element:** Policy A18 Thorney Island

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A19 Land at Chichester Business Park, Tangmere

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

There is no information to support the suitability of this location for development in relation to impacts on biodiversity. We note that this policy is short in nature and does not give any detail of requirements that would be sought if development proceeded in this location. Just to the north of the allocation boundary, our mapping shows us that there is a field with a water body and considerable wooded edge habitat. Therefore, we suggest that CDC considers if the policy needs detail included that makes it consistent with policy relating to impacts on biodiversity 174 NPPF 2021

**Full text:**

See attached representation.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy A19 Land at Chichester Business Park, Tangmere

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Matter to be addressed]. Concerned that proposed Class B8 (Storage and Distribution) floorspace provision could generate significantly more 24/7 traffic than a typical commercial warehouse.

Trip rates and vehicle trip generation should take account of worst-case trip generation scenarios to ensure 'last mile' impacts and related mitigation measures are fully understood.

Request, in these circumstances, trip rates are submitted to National Highways for consideration and that once agreed, these are fed into the transport evidence base.

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments

are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

## Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
  - o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility

to identify or deliver necessary transport interventions.

- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style.
  - o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

“Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the ‘Strategic road network and the delivery of sustainable development’ (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country’s transport network, sustainably driving growth

across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project. We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

## Object

**Document Element:** Policy A19 Land at Chichester Business Park, Tangmere

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

#### Summary:

Any development here must be dependent on providing continuous, direct, safe, attractive comfortable walking and cycling routes from all parts of the expanded Tangmere policy A14, and must provide employee bus where needed and from the most convenient railway stations probably Barnham, but possibly Chichester.

#### Full text:

See attached.

#### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

## Object

**Document Element:** Policy A20 Land South of Bognor Road

**Respondent:** Drayton Investments Limited [8111]

**Agent:** Drayton Investments Limited (Mr Ben Christian, Associate Town Planner) [8113]

#### Summary:

Plan unsound in respect of employment land provision:

- Existing permissions unlikely to be forthcoming.
- Allocations carried over not delivered since allocated in DPD Site Allocation 2019 or previous Local Plan 2015.
- Policy A20 - significant site constraints including A27 works.

Provision should be achieved through allocation of more, smaller, sites improving chances of delivery/meet immediate market demand (HEDNA [April 2022] and Flude Market Report [July 2022] - specific need for starter units highlighted). Land North of Drayton Waterside A259 Eastbound Merston Oving (22/02202/FUL) could meet demand for employment floorspace, provide starter units and not result in harmful impact to countryside which Policy A20 would create, due to scale.

#### Full text:

These representations are specifically centred around Chapter 7: Employment and Economy – 'Meeting Business and Employment Needs' with particular focus on Policy E1, Map 10.10 and reliance on Chapter 10 Policy A20 (Land to the South of Bognor Road).

These representations are made in the light of a live planning application (22/02202/FUL) for Land North Of Drayton Waterside. The proposed development consists of the erection of employment space [flexible Class B2 (general industry), B8 (storage / distribution), Trade Counter, E(d) (indoor sport / recreation) and Class E(g) (office, research and development, light industry) uses], with associated parking and landscaping. The employment space is provided over 33 units totalling 5,706 sq. m.

These representations will also look in detail at the Countryside policy and compare the proposed single new site (Land to the South of Bognor Road) with a site which is currently subject to a pending planning application (22/02202/FUL) for land which is geographically comparable with the proposed single site only without the implementation issues listed in the proposed Local Plan, as well as being deliverable, achievable and focused on the market requirements for smaller units.

These representations bring into question the 'tests of soundness'. In particular, the question as to whether it is 'sound' on the basis of being 'positively prepared', 'justified' and 'effective' in respect to employment land provision.

These representations seek to highlight that Chapter 7 has not been positively prepared, in so far as it does not provide [1.] "a strategy which, as a minimum, seeks to meet the area's objectively assessed needs" see the details set out in the accompanying Flude Property Consultants Report together with the details set out below.

It is also considered that Chapter 7 is not justified as the employment strategy is [2.] is inappropriate as it relies on a single new site, with multiple issues some of which are in conflict with other parts of the local plan, plus the site does not appear to have been included in the previous Local Plan consultations.

Chapter 7 is also not justified with respect to its provisions do not [3.] take into account reasonable alternatives. And that the provision for a single site not previously seen in any Regulation 18 consultation, is not [4.] based on proportionate evidence.

With respect to whether Chapter 7 is effective is questionable in terms of soundness given that the proposed allocation highlights a number of issues with the site set out in more detail below.

It is considered on the basis of the other factors highlighted in these representations and the accompanying Flude Report that the proposed employment land provision is not 'Consistent with national policy' as the proposed provision does not enable the delivery of sustainable development. It is considered that the proposed plans are contrary to the NPPF paragraph 16a, 16b, 16c, 16d and paragraph 20a.

With respect of general employment allocations and provisions in Chichester there are a number of areas of concern raised below and in the accompanying Flude Property Consultants Report which looks in detail at the Chichester property market. It is also relevant to note that the Flude Report (dated July 2022) not only assesses the supply and demand in the local market for employment land, it objectively assesses the most recent evidence set out by the Local Planning Authority within the April 2022 Chichester Housing and Economic Development Needs Assessment (HEDNA).

Both the HEDNA and Flude Report independently advise that there is a lack of suitable employment space supply in Chichester, particularly for starter units between 750 and 2000 sq. ft.

The Policy E1 table sets out a number of floorspace calculations. None of which are identified by their Use Class.

#### Land West of Chichester

This site is a reallocation of the current Local Plan Policy 15. The new policy is Policy A6. The original allocation was adopted in 2015 and this therefore raises concerns in respect of deliverability of the proposed employment floorspace.

Notwithstanding the concerns around deliverability, the uses identified in the 'submission local plan' Policy A6 states: "6 hectares of employment land (suitable for E(g)(i)/(ii) Business uses)" and therefore none of the suggested 22,000m2 allocation equates to light industrial, general industrial or storage and distribution (i.e. it does not include E(g)(iii), B2 or B8) and therefore does not meet any need for industrial or storage and distribution.

#### Kingsham Road - DPD Allocation

This site the current DPD allocation (Policy CC5). The allocation was adopted in 2019 and this therefore raises concerns in respect of deliverability of the proposed employment floorspace.

Kingsham Road is a DPD allocation for 7,200m2 is for office use, and therefore does not meet any need for industrial or storage and distribution.

#### Land South of Bognor Road

The Land South of Bognor Road, the single proposed new allocation, not previously set out in the previous Local Plan consultations is looked at in greater detail in the following section of these representations.

#### Planning Permissions to Date

Chichester Council Planning Policy team have kindly provided a copy of the employment planning permissions to date which make up the 53,655 figure within the employment floorspace Policy E1. From a review of these sites it is apparent that a large number are for specific end users (e.g. Rolls Royce) or for change of use and not for the open market which will not meet the employment floorspace demand locally, particularly for starter units for SME's.

#### Summary

In summary, Policy E1 is heavily reliant on adding up floor spaces which either may not occur or are not for an employment use which meets the needs for industrial use or storage and distribution use needs.

There are several fundamental issues with the proposed site allocation known as Land to South of Bognor Road (Policy A20), these include:

- The site is new to the Local Plan production process in respect of entering in at Regulation 19 and has therefore not been through any of the previous rounds of consultation.
- The land is Grade 1 agricultural land which is (a) in active use, (b) forms part of wider farmland which is proposed to be separated from the farm buildings therefore potentially limiting the effectiveness of the remainder of the farmland, (c) it conflicts with other parts of the local plan which promote protection of the best agricultural land and food production. (details below)
- There are several site constraints to delivery to the allocation (details below).
- The Policy also seeks to provide plots for Gypsy and Travelling Showpeople the allocations do not require to be part of the same site however they have been placed under the same site policy which implies that the provision for both types of use are in short supply and that the way in which the Local Plan has been produced seeks to address the Gypsy and Traveller sites shortfall on the same allocation as part of the solitary site for employment.
- The size of the site in terms with respect to Natural England's Guide to assessing development proposals on agricultural land (2021).

The Land South of Bognor Road site is both grade 1 agricultural land (the best value) and in active food production. Development on this site would raise conflict with other Local Plan approaches and policies as follows.

The proposed Local Plan at Paragraph 4.8 states that: The council will seek to protect the best and most versatile agricultural land from large scale, inappropriate or unsustainable non-agricultural development proposals that are not in accordance with the Development Plan. For proposals not in

accordance with the Development Plan, that will result in the loss or likely cumulative loss of 20 hectares or more of best and most versatile agricultural land, the council will consult with Natural England and have regard to "Natural England's Guide to assessing development proposals on agricultural land (2021)" and any subsequent guidance.

It is noteworthy to mention that the site is 19.5ha and, as with neighbouring land, is owned by West Sussex County Council (WSSC). The outline of the site allocation is odd and appears to sever the remainder of the WSSC land to the south from the WSSC owned land. This both impacts the opportunity to farm the remaining land and raises the question of whether there is an approach to avoid Natural England's 20ha threshold and therefore is the current site area a salami slice of an extended future land promotion.

Land south of Bognor Road - Policy A20 – Site Constraints impacting Delivery

#### Flood Risk

Policy A20 supporting text paragraph 10.87 outlines that parts of the site are at risk of surface and ground water flooding which would need careful management.

#### Landscape Impact

The large scale of the site will create a landscape impact that could be considered harmful to the current landscape character and separation between the main conurbation of Chichester and the built form around the Bognor Road/Drayton Lane roundabout. This is further discussed in the Countryside policy assessment below.

#### Highways

To facilitate development of Policy A20 the supporting text paragraph 10.87 identifies the need for realignment of Vinnetro Road and works to the Bognor Road roundabout as part of a package of A27 improvements. It is understood that Highways England have pulled funding for these improvements and that they are to be delivered through a tariff on strategic sites. Therefore, the delivery of this site is reliant on the delivery of other strategic sites and raises concerns around timescales and deliverability.

A planning application (22/02202/FUL) for the construction of business park with associated parking and landscaping is currently pending determination for land north of Drayton Waterside A259 Eastbound Merston Oving. The application is pending further highway research but is supported by no objections from all other consultees including support from the economic development officer and the Oving Parish Council.

The Economic Development Officer comment on the Planning Application is as follows:

'The application site sits directly adjacent to a current business site and will provide units of the size and use class type that are highly sought after in the district. B2 and B8 uses are especially sought after and the amount of available space in this area has dropped from 316,000 sqft in 2017 to 97,500 sqft in 2022 (Source: SHW Industrial Focus 2022) which is a drop of almost 70% in five years.'

Both the HEDNA (April 2022) and Flude Report (July 2022) independently advise that there is a lack of suitable employment space supply in Chichester, particularly for starter units between 750 and 2000 sqft. The proposed development at Drayton Waterside provides this type of employment space and given the current planning application status could provide this floorspace immediately.

In the Housing and Employment Land Availability Assessment (HELAA) 2021, Drayton Waterside and the proposed allocation, Land to the South of Bognor Road, are both considered 'developable' but it is noteworthy to mention that Drayton Waterside (HELAA ID HOV00011) is considered to be able to come forward sooner than the land South of Bognor Road (HELAA ID HNM0017a).

Development in the Countryside Policy (Policy NE10)

Following review of the Drayton Waterside site above a key consideration is its location within the countryside – draft Local Plan Policy NE10. These representations do not directly object to this policy or its wording but some text is included to comment on how the Drayton Waterside site is better aligned with the countryside policy than the proposed land south of Bognor Road allocation (Policy A20).

The first consideration is paragraph 4.51 within the supporting text to Policy NE10 which outlines the role and value of the countryside and why it should be considered for protection subject to a planning balance. These points of consideration are as follows:

1. The countryside is important for food production.

- The land south of Bognor Road is currently farmed and is large enough to support food production. The land south of Bognor Road is also Grade 1 agricultural land.

- The Drayton Waterside site however is too small to support viable food production and is enclosed by uses which are not within agricultural use and as such could not form part of an adjacent agricultural use unlike the Policy A20 site.

2. Countryside is important for landscape character.

- Both sites are not located in either the South Downs National Park or Areas of Outstanding Natural Beauty which cover a large part of the Chichester district.

- The Drayton Waterside site sits adjacent to existing built form currently used for employment use and is partly a brownfield site. The site is also smaller than the Bognor Road South and whilst providing 5,706 sq m compared to the 28,000 sq m provided by the land south of Bognor Road, it should be the Council's priority to look for delivering employment on multiple smaller sites which combined have a lesser landscape impact than that of a single large site.

3. Countryside is important for recreation:

- This role for countryside in respect of both sites is not necessarily relevant but it is noteworthy to mention that the Drayton Waterside site is private land and therefore not open to the public.

4. Countryside is important for biodiversity.

- Whilst the policy requirement for the delivery of the land south of Bognor Road would include a biodiversity enhancement this is yet to be evidenced as no application has been submitted for this site.

- The Drayton Waterside site, by contrast, has a live planning application and a Biodiversity Net Gains Assessment has been undertaken, and demonstrates that proposed development would result in calculated net gain of +12.73% Habitat Units and net gain of +13.45% Hedgerow Units. The Drayton Waterside site therefore demonstrates a substantial increase in biodiversity.

5. Countryside is important for stopping an urbanizing impact.

- The large scale of the land south of Bognor Road would create a noticeable urbanizing impact and whilst it is closer to the main conurbation of Chichester it would remove the separation between the current built form around the roundabout with Drayton Lane and Bognor Road whereas the Drayton Waterside site would neatly fit in within that existing built form and not diminish the gap between Chichester and this existing built form.

The wording of Policy NE10 outlines that sustainable development in the countryside would be permitted if the following considerations were achieved:

- There are sustainable transport links.

- The scale and design is appropriate to the location and not harmful to the rural setting.

- The proposed development preserves and enhances key countryside landscape features and does not impact any designations (Areas of Outstanding Natural Beauty or the South Downs National Park).

- The proposed development relates to an existing group of buildings.

- The proposed development does not prejudice countryside operations e.g., farming.

The Drayton Waterside site is considered to align with the requirements in this policy by:

- having strong sustainable transport links along the Bognor Road, to Chichester, including cycle routes and bus stops.
- The proposed development is of a scale where it would not harm the rural setting due to its relationship with an existing building group and being a relatively small site particularly when compared to the land south of Bognor Road.
- The proposed development is not considered to impact any designations or key features within the current countryside make up in this location and would not impact the current farming operations in the locality.

#### SUMMARY

The Chichester Draft Local Plan is considered to be unsound in the respect of employment land provision as it is heavily reliant on the sites which have strong valid delivery concerns. This includes:

- Existing permissions that are not likely to be forthcoming.
- Allocations carried over from previous Local Plan documents which have not been delivered since they were allocated in the Development Plan Document Site Allocation in 2019 or worse the previous Local Plan in 2015.
- One new large strategic site allocation (Land South of Bognor Road – Policy A20) that has significant site constraints including works to the A27 where funding has recently been withdrawn by National Highways / Secretary of State for Transport.

Employment land provision should be achieved through the allocation of more, smaller, sites to improve the chances of delivery and to meet market demand which is immediate (as evidenced by the Housing and Economic Development Needs Assessment [April 2022] and the accompanying Flude Market Report [July 2022]).

The market demand set out be the Local Plan evidence base and the Flude Market Report highlights that, whilst there is an employment floorspace need generally, there is a specific need for starter units between 750 and 2000 sqft.

Application reference 22/02202/FUL for the Construction of Business Park with associated parking and landscaping at Land North Of Drayton Waterside A259 Eastbound Merston Oving is considered to be a perfect example of a site that could meet the current market demand for employment floorspace, providing starter units, and not result in a harmful impact to the countryside which Land to the South of Bognor Road (Policy allocation A20) would create due to the scale of the strategic allocation.

Drayton Investments Limited strongly implore Chichester Planning Policy team to reconsidered the proposed Local Plan employment floorspace provision and allocate more, smaller, sites which, such as Land North of Drayton Waterside, can achieve immediate delivery of employment market floorspace demand.

#### Change suggested by respondent:

Employment land provision should be achieved through the allocation of more, smaller, sites to improve the chances of delivery and to meet market demand which is immediate (as evidenced by the Housing and Economic Development Needs Assessment [April 2022] and the accompanying Flude Market Report [July 2022]).

**Legally compliant:** Yes

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** Written representation letter - <https://chichester.oc2.uk/a/swp>

## Object

**Document Element:** Policy A20 Land South of Bognor Road

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

#### Summary:

In section 10.83 of the supporting text, Chichester Gravel Pits and Leythorne Meadow is referenced as an SNCI. This needs to be amended to LWS (Local Wildlife Site).

Support inclusion of bullet point 7 in policy which should recognise the sensitivities of surrounding habitat and need for impacts to be avoided as per section 179 of the NPPF 2021. Bullet point 7 references Chichester Gravel Pits and Leythorne Meadow as a Local Nature Reserve - should also state that site is a Local Wildlife Site.

#### Full text:

See attached representation.

#### Change suggested by respondent:

Section 10.83: Chichester Gravel Pits and Leythorne Meadow is referenced as an SNCI. This needs to be amended to LWS (Local Wildlife Site).

Bullet point 7 in policy references Chichester Gravel Pits and Leythorne Meadow as a Local Nature Reserve - should also state that site is a Local Wildlife Site.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Policy A20 Land South of Bognor Road

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

#### Summary:

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Seeking clarity]. The planning of this site is dependent on considering a number of site-specific issues including the need for realignment of Vinnetrov Road and works to Bognor Round roundabout as part of a package of A27 improvements. The A259 Bognor Road/ Vinnetrov Road Link is safeguarded (as shown in the Transport Study 2023) to ensure that the A27 improvements can be delivered, unless it can be demonstrated that they are no longer required.

We seek to understand on what happens if this is not delivered or can't be funded.

#### Full text:

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.



We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSSC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

#### Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queuing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out

the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:  
 "Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period."

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document 'The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters' (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government's planning policies for England and how these are expected to be applied.

#### Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

#### Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

#### Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

#### National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

#### Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

**Support**

**Document Element:** Policy A20 Land South of Bognor Road

**Respondent:** West Sussex County Council [1416]

**Agent:** Henry Adams LLP (Mrs Dawn Appleton, Senior Planner) [8118]

**Summary:**

Support allocation of Land South of Bognor Road for commercial development. Technical work and accompanying Vision Document demonstrate site is capable of delivering 28,000sqm of commercial development during course of plan period. Some concern about ability to provide 5 no. plots for Travelling Showpeople and storage area given constraints on site and need for enhancement in terms of, in particular, biodiversity net gain and drainage.

**Full text:**

See attachments.

**Change suggested by respondent:**

More flexibility to be written into policy:

Provide up to 5 no. plots, with need to be determined at time of submission of planning application and dependent on land required to satisfy biodiversity net gain and/or drainage requirements associated with commercial development;

More flexibility for amount of storage area associated with travelling showpeople plots. Flexibility and requirement for an assessment in accordance with Policy H13 should be included in policy wording;

A timescale for marketing of travelling showpeople plots following which it should revert to part of the commercial site.

Request more precise wording is included in criteria 10 and 11 so that expectations are clear.

**Legally compliant:** Not specified

**Sound:** Yes

**Comply with duty:** Not specified

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/szk>

Vision Document - <https://chichester.oc2.uk/a/szz>

**Object****Document Element:** Policy A20 Land South of Bognor Road**Respondent:** West Sussex County Council [1416]**Agent:** Henry Adams LLP (Mrs Dawn Appleton, Senior Planner) [8118]**Summary:**

Support allocation of Land South of Bognor Road for commercial development. Technical work and accompanying Vision Document demonstrate site is capable of delivering 28,000sqm of commercial development during course of plan period. Some concern about ability to provide 5 no. plots for Travelling Showpeople and storage area given constraints on site and need for enhancement in terms of, in particular, biodiversity net gain and drainage.

**Full text:**

See attachments.

**Change suggested by respondent:**

More flexibility to be written into policy: Provide up to 5 no. plots, with need to be determined at time of submission of planning application and dependent on land required to satisfy biodiversity net gain and/or drainage requirements associated with commercial development; More flexibility for amount of storage area associated with travelling showpeople plots. Flexibility and requirement for an assessment in accordance with Policy H13 should be included in policy wording; A timescale for marketing of travelling showpeople plots following which it should revert to part of the commercial site. Request more precise wording is included in criteria 10 and 11 so that expectations are clear.

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Written Representation - <https://chichester.oc2.uk/a/szk>Vision Document - <https://chichester.oc2.uk/a/szz>**Object****Document Element:** Policy A20 Land South of Bognor Road**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]**Summary:**

As an employment zone it is critical to be linked with the railway station and residential parts of the city by continuous, direct, safe, attractive, comfortable walking and cycle routes. GTR will object to this development if Active Travel routes from the railway station are not provided to the standard outlined in this consultation response before first occupation so that sustainable travel habit are established from the start without having the much greater challenge of enticing people out of their cars. Therefore change 8 and 9. With references to the infrastructure policy being as described in this consultation response policy T1

**Full text:**

See attached.

**Change suggested by respondent:**

"Before first occupation, infrastructure must be provided to provide

- continuous, direct, safe, attractive, comfortable walking and cycle routes between this development, railway station, residential parts of the city
- The bridge over the A27 does not follow the desire line, people walking and cycling need to double back on themselves to gain height, therefore add a ramp following the desire line direct into this development
- bus lanes reallocating road space between the railway station this development and along the A259 to Bognor Regis to improve bus reliability and journey times for connecting with trains and for journeys from Bognor Regis to facilitate increases of bus frequency and reduce car traffic.
- Subject to traffic flow analysis consider sharing the bus lanes with Larger Goods Vehicles on the A27 and A259 to ensure reliability of goods vehicles servicing this site, the remaining lanes for small vehicles could then be narrowed. Ensure design builds in bus priority at junctions, including roundabouts and where crossing the small vehicle lanes to gain access to the city residential areas and the railway station"

**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>**Object****Document Element:** Policy A21 Land east of Rolls Royce**Respondent:** West Sussex County Council (Tracey Flitcroft, Principal Planning Officer) [8119]**Summary:**

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

**Full text:**

The comments included below from WSCC are Holding Objections. We will continue to work with Chichester District Council and as further work is completed will consider if objections can be withdrawn.

**Transport Overview**

The County Council has worked with Chichester District Council to develop the Chichester Local Plan and its supporting evidence base and will continue to do so. Although the overall direction of the Local Plan is supported, from a highways and transport perspective, there are three key issues remaining that need to be addressed in order to demonstrate that the Plan is sound:

1. There is insufficient evidence to demonstrate that key infrastructure (i.e. Terminus Road Diversion) will be deliverable;
  2. The package of sustainable transport infrastructure and measures is not yet sufficiently well-developed to demonstrate that it is deliverable as part of the monitor and manage process; and
  3. There is insufficient evidence to demonstrate that the capacity of the transport network can accommodate the scale of development proposed as part of the Southbourne Broad Location for Development.
- The following sections explain; a) the reasons for these issues; b) why they affect the soundness of the Local Plan; and, c) what changes should be made to the Local Plan to remedy the issues.

### Deliverability of Key Infrastructure

The recommended transport mitigation strategy, as assessed using the Chichester Area Transport Model for 2039 has been demonstrated to be capable in-principle to prevent the development from resulting in severe residual cumulative impacts on the highways and transport network. However, there are significant risks to deliverability of junction mitigation measures, which have required further work to be undertaken on developing a short to medium term strategy based on phased prioritisation of infrastructure and sustainable transport improvements, to be governed under a monitor and manage approach.

There are three locations where new highway alignments are proposed outside of existing highways boundaries. Two of these may include significant earthworks or structures to be delivered, being Stockbridge Link Road and Terminus Road diversion. The cost of the mitigation strategy exceeds the likely value of developer contributions and additional funding has not yet been secured.

At the Regulation 18 consultation stage in December 2018 to January 2019 the County Council identified delivery risks with the Stockbridge Link Road and Terminus Road Diversion schemes due to the earthworks likely to be required and to confirm the extent of land take required for both schemes. The County Council stated that feasibility work would need to be undertaken for these improvements prior to Plan submission to confirm that the schemes are deliverable. A brief for such a feasibility study was agreed in 2019, but to date, this work has not been commissioned. It is the County Council's view that Stockbridge Link Road (SLR) should be disregarded as a potential part of a long-term transport mitigation strategy for 2039 and beyond until such time as it can be demonstrated that the scheme is deliverable. Paragraph 8.14 of the Local Plan acknowledges that the SLR is not deliverable as part of the Local Plan mitigation package.

The Terminus Road Diversion is still identified as part of the highest priority in the Local Plan mitigation package (i.e. A27 Fishbourne Junction) which is expected to be delivered once sufficient funding is collected. The County Council considers that in the absence of this feasibility work, the deliverability of the Terminus Road Diversion cannot be confirmed. In particular, given the recent impacts of inflation in the construction industry, this work will need to robustly estimate the costs and confirm delivery arrangements. In the absence of this feasibility work, there is currently insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF as key infrastructure does not appear to be deliverable.

In order to remedy this issue regarding the Terminus Road Diversion, the County Council requests that feasibility work is undertaken prior to the examination to confirm deliverability of the proposed Terminus Road Diversion.

### Sustainable Transport Infrastructure & Measures

The transport study modelling for end of Plan period also includes some proposed highways mitigation schemes within Chichester City. The County Council has previously requested that these be replaced by sustainable transport improvements to comply with the West Sussex Transport Plan 2022-2036. However, only limited modification has been made to these proposed schemes, with a suggestion in text at paragraph 7.3.2 of the main transport study that the costs for these schemes can be reallocated to sustainable transport improvements which are not specified. Although this does help to explain how sustainable transport infrastructure schemes and measures can be at least partially funded, it is rare that schemes will be fully funded using developer contributions. Furthermore, funding is not the only issue that needs to be overcome to secure delivery of these schemes and measures.

The Infrastructure Delivery Plan (IDP) lists the proposed mitigation measures and in some cases provides information on the rationale, phasing, cost, funding and delivery arrangements. However, there are still many gaps in the information, probably because schemes are currently at an early conceptual stage. The County Council's experience is that it is unlikely that schemes will be fully funded using developer contributions (because doing so would not be compliant with the CIL regulations) so delivery of these schemes will be partially dependent on securing funding from central Government or other sources. The IDP currently fails to identify the scheme-specific requirements for additional funding and the overall scale of additional funding required.

The County Council considers the level of information currently available on the sustainable transport package to be insufficient to demonstrate deliverability of a credible and coordinated sustainable transport package of improved infrastructure and services. Therefore, there is insufficient evidence to confirm that the Local Plan complies with Paragraphs 11 and 106 of the NPPF.

In order to remedy this issue, the County Council requests that further technical work is undertaken to develop the schemes and measures in the sustainable transport package prior to the examination. In particular, this should focus on the following schemes and measures and some cases, this will build on work that has already taken place:

1. St. Paul's & Parklands cycle routes
2. Improving existing public transport services towards Madgwick Lane
3. Provision of improved bus services for the village serving the development areas of Southbourne Parish
4. Improving cycling connectivity to link the built-out areas of Shopwhyke Lakes with Tangmere and Oving etc

As not all the severely impacted A27 junctions have a reasonable prospect of being physically improved in the Plan period, more investigation into potential public transport enhancements is also required, particularly to strengthen routes that cross the bypass. This may require further amendments to the IDP.

This work should aim to identify options for sustainable transport schemes that can be a priority for investment, provide information to enable safeguarding of routes (e.g. cycle routes) from development and provide a basis for applications for third party funding to support their delivery. The relative priority of such measures would need to be considered under the monitor and manage approach by the proposed Traffic and Infrastructure Management Group for implementation in addition to the proposed improvement at the A27/A259 Fishbourne junction.

To address this issue and support delivery of the sustainable transport package, the County Council also recommends the following minor amendments to Policy T1: Transport Infrastructure:

At bullet point .7 change "other small-scale junction improvements" to read "other sustainable transport and safety focused improvements, including at junctions" and change "These will increase road capacity, reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas" to "These will increase road capacity on strategic roads, and on both strategic and local roads reduce traffic congestion, improve safety and air quality, and improve access to Chichester city from surrounding areas notably by encouraging and prioritising sustainable modes."

### Southbourne Broad Location for Development

The scale of development that can be accommodated at the Southbourne Broad Location will be, at least partially, dependent on the capacity of the transport network to accommodate the associated traffic movements. As the Broad Location spans the railway line, many of these traffic movements would need to cross the railway line. The County Council is concerned that there is currently insufficient capacity of the existing level crossings, notably at Stein Road, to accommodate the additional traffic movements. This could mean that the cumulative impact of development on the traffic network is severe, which is not consistent with Paragraph 111 of the NPPF.

The transport evidence base does not yet provide sufficient assurance that the proposed scale of development can be accommodated. This is because

the base level of traffic flow has not been compared to local traffic counts, either in the initial validation of the strategic model or through a new count which the County Council has previously requested, and the assumptions about level crossing downtimes have not been validated against observed data. The County Council is concerned that the assessment of capacity of the local road network to accommodate the quantum of dwellings proposed for the Broad Location may be overoptimistic by underestimating existing flow levels and the duration of level crossing downtime. As a consequence, the proposed quantum may not be deliverable without unacceptable impacts to the conditions on Stein Road and to the level of traffic seeking to use rural lanes to the north of the village to avoid the level crossing.

In order to remedy this issue, the County Council requests that either additional transport evidence is provided prior to the examination to demonstrate that the proposed scale of development is deliverable, or that Policy A13 is changed to remove the proposed scale of development until such evidence is provided.

The following comments from education, minerals and waste, Adults Services and Health, highways & transport and public rights of way, do not affect the soundness of the Plan. However, Chichester District Council should take these into account and, where possible, make minor amendments to the Local Plan and/or evidence base studies before submission of the Local Plan for examination. Officers are happy to meet and discuss any of these comments, and proposed minor amendments to address these comments, ahead of submission:

#### 1) Education

##### Land West of Chichester

Previous comments have been made requesting that the policy refers to 'Phase 2 should include expansion of the primary school for the further 1FE of teaching accommodation with nursery and SEND provision'. While it is recognised that reference is made to this in the IDP this is a supporting document to the Local Plan and should not be solely relied on. It is requested that paragraph 10.19 is amended to read: 'a local centre with retail, community and employment uses (minimum of approximately 2500 sqm E(g)(i) Use Class), two form entry (2FE) primary school and one form entry (1FE) teaching accommodation with nursery and SEND, informal and formal open space (including a country park), allotments,....'

This should also be included in the 3rd bullet point of Policy A6 or the wording of the policy should be drafted to reflect more recent policy requirements i.e. Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.

There are some inconsistencies with the wording of the strategic policies, not every policy includes the criterion 'Provide for infrastructure and community facilities in accordance with the most recent Infrastructure Delivery Plan.' While this may be due to some policies being carried through from the adopted local plan it is inconsistent.

##### Policy A8 Land East of Chichester

As an education authority WSCC do not request 1FE schools in line with government guidance. As per our earlier comments and discussions we requested a 2 FE primary school for the site.

3rd bullet point of Policy A8 should be amended to read: 'A neighbourhood centre incorporating local shops, a community centre, flexible space for employment/ small-scale leisure uses and a one-form (expandable to two-form) two form entry primary school with provision for early years/ childcare and special educational needs and disability...'

#### 2) Minerals and Waste

The references to safeguarding minerals is inconsistent and it is suggested that the wording in the email sent to CDC (attached) in relation to Policy AL3 should be used in the policies for the other sites for consistency. Reference to safeguarding minerals and waste infrastructure should also be included in some other policies as previously indicated:

- Policy A2 – needs to include reference to safeguarding minerals and waste infrastructure.
- Policy A7 – needs to include reference to safeguarding waste infrastructure.
- Policy A15 (Loxwood) – needs to include reference to minerals safeguarding as within the clay MSA.
- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

#### 3) Older Person Housing

It is noted that the plan refers to older person housing as specialist housing. WSCC strategy supports the provision of 'extra care housing' while this might be similar development it enables younger people to access the accommodation for whatever medical reason i.e. MS, strokes rather than limiting it to a certain age group. Officers are happy to meet and discuss this further.

#### 4) Highways and Transport

##### Public Transport Priority Infrastructure

The Public Transport section of the main transport study report starting at paragraph 6.2.7 requires revisiting. There is reference to "an expansion of the bus priority lane system within Chichester City Centre" which does not match the existing bus provision in the City which does not provide bus priority lanes on street. It does have restrictions on motor traffic in the adjoining parts of South Street and West Street which provide for bus and cycle only access in both directions of travel plus access for essential goods vehicle loading in the westbound direction only. In addition, the suggestion in the following paragraph for "a time-based system where certain routes are restricted to public transport only during specific times" is not evidenced or developed and as such considered unlikely to be practical and enforceable at most locations used by bus routes in the City. More developed proposals for additional bus priority, improvements to bus passenger facilities or testing of specific locations for bus-only access would be welcomed as part of developing a costed sustainable transport mitigation package.

##### Park and Ride

The discussion of possible park and ride facilities for the City at paragraphs 6.2.9 to 6.2.16 of the main transport study should also acknowledge. An important part of making park and ride well used by motorists is increasing the price of city centre parking to provide a financial incentive to take up significantly cheaper park and ride charges for parking and travel. However, if park and ride sites are not provided accessible to all major approach routes to the city, such a charging strategy would not be seen to be equitable, whereas only a single site is proposed in the District Council's emerging parking strategy and the report acknowledges at 6.2.11 that "locations for potential park and ride sites are also deemed to be limited". The bullet at 6.2.15 "Cost of schemes compared to benefit are likely to be initially lower than highway schemes" may have been incorrectly worded given that this is listed as an issue rather than a benefit. The text may have been intended to say that the ratio of benefit to cost for park and ride schemes may be lower than for conventional highway schemes?

**A286 New Park Road / A286 St Pancras Road (Junction 7)**

This junction scheme includes pedestrian crossing facilities which are welcomed and also includes a length of advisory cycle lane starting in the middle of the junction for cyclists remaining on St Pancras. However, the approach to the junction on St Pancras from Eastgate Square remains intimidating to cyclists, so further measures would need to be added to make the layout cycle-friendly or the cycle facility is likely to be of limited benefit. This could include decreasing traffic speeds. Until this is done the conclusion at 8.4.4 of the main transport study; "The mitigation scheme includes improvements for pedestrians and cyclists which will lead to increased use of active travel modes and reduce the need for physical mitigation here" is only supported for pedestrians, not for cyclists.

**A259 Via Ravenna / A259 Cathedral Way Roundabout (Junction 8)**

It is stated at 7.3.8 of the main transport study that "the mitigation may be required to avoid queuing back towards the A27, as well as for capacity issues". In light of this potential safety issue for the previous junction on Cathedral Way and for the A27 Fishbourne junction, the proposal at 7.3.6 that the scheme delivery should be tied to the monitor and manage regime to see if and when it is required is accepted. This is different to the approach for other junctions in the City because of the potential safety issue. This monitoring approach would be likely to follow after the A259 Cathedral Way / Fishbourne Road East / Terminus Road (as diverted) (Junction 10) improvement, which is to be brought forward as an integral part of the A27 Fishbourne roundabout mitigation scheme, but may allow for increased eastbound flows on Cathedral Way.

**A286 Northgate Gyratory**

An additional mitigation scheme is proposed at paragraph 7.3.134 of the main transport study for the A286 Northgate Gyratory along its southern arm from Oaklands Way to Orchard Street. The proposal to add traffic signals is welcomed in concept as it can help to control traffic speeds making the junction more friendly for cyclists and pedestrians. However, the layout shown at figure 7-8 does not maximise the opportunity to improve convenience and safety for pedestrians by providing a priority link to reach the central island, which contains employment space and the fire station, nor to assist crossing the exit towards Orchard Street. The scheme would benefit from further development to prioritise active travel movements and should also be fitted with transponders for bus priority.

**Fishbourne Road West / Appledram Lane South (Junction 11)**

At paragraphs 7.4.1 to 7.4.2 of the main transport study, the junction of Fishbourne Road West / Appledram Lane South (Junction 11) is considered. The proposal to mitigate impacts at this junction through delivery of the Stockbridge Link Road scheme is not considered deliverable, so the approach at this location requires re-thinking. The County Council would not support measures to increase capacity for through traffic on Appledram Lane South, the approach should be to reduce severance and improve safety and comfort for active travel on Appledram Lane by reducing vehicle speeds and as far as possible volume. This should consider the needs of pedestrians and cyclists both for local access and for users of the Salterns Way leisure cycling route.

**TEMPro Background Traffic Growth Comparisons**

At section 10.2 of the main transport study a comparison is made of the TEMPPro 7.2 growth rates used in the study for external traffic with new TEMPPro 8.0 growth rates since released by the Department for Transport, which notes that the TEMPPro 8.0 rates are significantly lower, if these rates were used then the level of transport impacts could be lower. Unfortunately, a number of highways authorities in the Transport for the South East (TfSE) area including the County Council and Hampshire County Council have concerns that the planning assumptions used in TEMPPro v8 core growth scenario underestimate the numbers of additional households forecasted compared to targets in adopted Local Plans for delivering new dwellings. TfSE are currently raising these collective concerns with DfT with a view to obtaining an early update to TEMPPro 8 planning assumptions. Although for the purposes of this study TEMPPro is not applied to trips produced in Chichester District, from the County Council's analysis TEMPPro v8 core underestimates the increase in households per year in Arun District by over 50% and in Horsham District by 30% when compared with adopted development plans. On this basis it may be useful to instead compare TEMPPro 7.2 with TEMPPro 8.0 high growth scenario.

**North of District Spatial Scenarios Testing**

For the Northern Spatial Scenarios Test provided as an appendix to the main transport study, this had not been updated for the final preferred spatial strategy or in light of the County Council's previous comments on the March 2022 issue to the District Council. The spatial strategy now is similar but not identical to the Scenario 4: Significant Growth 1 option in the reported tests, totalling 370 dwellings across the four northern parishes, compared to 410 in the test. In both cases the largest allocation is at Loxwood; 220 dwellings were proposed in the Scenario 4 as compared to 200 in this test. Some other tests proposed higher numbers.

The testing in the northern part of the district had used the same trip generation rates per dwelling as in the South of the District, but the County Council considers that in practice private motor vehicle trip generation per dwelling is likely to be higher due to the rural nature of the area, including a lack of local facilities and shops within walking distance of development, a very low level of public transport services and lack of surfaced cycle routes.

The level of development proposed is not at the level capable of delivering transformative transport improvements to match the trip making patterns around Chichester and the A259 corridor to Bosham and Southbourne. This may be offset in part by the lower total amount of development compared to the tested scenario 4. Nonetheless, it would be helpful to adjust the scenario for the spatial strategy now proposed and to provide information on additional traffic movements per peak hour from these parishes using the A272 at junctions at Wisborough Green and reaching the A272/A29 junction at Billingshurst and the A272/A283 junction at the north of Petworth.

**Neutral Month and Summer Month Comparison Technical Note**

The Neutral Month and Summer Month Comparison Technical Note in the main transport study treats July as a neutral month rather than a summer month. Paragraph 1.3.1 states "The flows were analysed by looking at traffic data for August 2019 this being considered to represent summer traffic. This was compared against traffic data from the neutral months of June, July, September and October also from 2019." The County Council does not accept this methodology as school summer holidays start part way through July and education traffic is also affected by the formal exam period, whilst there is typically a high level of seasonal leisure traffic including summer outdoor events in this month. It is acceptable to use August alone as the summer comparator month. However, July traffic should be removed from the neutral months analysis and should be substituted with May traffic data from the same year of 2019, provided that sufficient data is available from that month.

**5) Public Rights of Way (PRoW)**

It is a positive step to see PRoW acknowledged as valued by communities and as part of the area's green infrastructure. Whilst Policy P14 (Green Infrastructure) states that development proposals should not be detrimental to the network of public rights of way and bridleways (please note bridleways are Public Rights of Way), a more proactively positive approach that seeks enhancements to the network as mitigation, would be welcomed. The improvement, upgrading of existing PRoW and creation of new PRoW where possible, to allow for a greater number of users to access the network would be beneficial. This is somewhat addressed in Policy T1 which refers only to routes identified in the Local Transport Plan, Local Cycling and Walking Infrastructure Plan (LCWIP) and the Infrastructure Delivery Plan. Opportunities to these, should not be limited if they arise elsewhere. It is surprising to see there is no mention of PRoW within Chapter 8 under Active Travel – Walking and Cycling. The PRoW network provides extensive walking and cycling opportunities, often off-road, and important links between places and non-PRoW routes.

**Change suggested by respondent:**

- Policy A21 – needs to include reference to minerals safeguarding.

Also, the reference to the safeguarding guidance needs to be checked to ensure that it is worded correctly as 'Minerals and Waste Safeguarding Guidance'.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** CDC Reg 19 Consultation WSCC March 2023 - <https://chichester.oc2.uk/a/sfg>  
Reg 19 WSCC Officer Informal Comments - <https://chichester.oc2.uk/a/sfh>

## Support

**Document Element:** Policy A21 Land east of Rolls Royce

**Respondent:** The Goodwood Estates Company Limited [7922]

**Agent:** HMPC Ltd (Mr Haydn Morris) [112]

### Summary:

Policy A21 The Estate supports the policy, providing the resultant development offers an equally high standard of building and landscape design, site density and use, an without harm or adverse impact on surrounding land and land uses and the local road network.

### Full text:

Policy A21 The Estate supports the policy, providing the resultant development offers an equally high standard of building and landscape design, site density and use, an without harm or adverse impact on surrounding land and land uses and the local road network.

### Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Policy A21 Land east of Rolls Royce

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

### Summary:

There is no ecological information supporting this allocation. However, we can see from aerial imagery that the allocation contains wooded habitat that appears to be functionally linked to the Strategic Wildlife Corridor. The policy currently contains no information to suggest that the existing biodiversity on the site will be safeguarded.

### Full text:

See attached representation.

### Change suggested by respondent:

For consistency, we would suggest that the policy includes an additional bullet point:

- Ensure that development avoids harm to protected species and existing important habitat features; facilitates the achievement of a minimum of 10% biodiversity net gain; and facilitates the creation of high levels of habitat connectivity within the site and to the wider green infrastructure network and identified strategic wildlife corridors. This includes the provision of appropriate buffers as necessary in relation to important habitats which are being retained and/or created.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Support

**Document Element:** Policy A21 Land east of Rolls Royce

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

### Summary:

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Expect a fully funded Travel Plan]. We agree that any planning application for employment development will need to demonstrate that increased traffic generation is minimised and mitigated by the use of sustainable transport measures.

We would expect a fully funded Travel Plan to be submitted for this development.

### Full text:

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

### Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).



National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).
- Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queuing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a "Monitor & Manage" (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a 'predict & provide' style of delivery to 'a vision & validate' style. o Any M&M framework must be based on a "worst case scenario" whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

“Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_t\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_t_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the ‘Strategic road network and the delivery of sustainable development’ (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country’s transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination

with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan. We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

**Document Element:** Policy A21 Land east of Rolls Royce

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

Support in principle

**Full text:**

Rolls-Royce Motor Cars (R-RMC) is highly supportive of the inclusion of Land East of Rolls-Royce (Policy A21) as a site for R-RMC to deliver its vision for the strategic expansion of the existing headquarters of R-RMC at Goodwood (R-RMC Goodwood). R-RMC considers the policy is sound in principle, but one minor modification is suggested to provide greater clarity.

**Justification for Policy A21**

As a prestigious global manufacturer of luxury motor cars and a major employer within Chichester District, R-RMC's proposed expansion would signify a considerable investment into the local, district and wider UK economy.

Since its arrival in 2003, the Goodwood facility has expanded incrementally and now fully utilises the capacity of the existing site for its manufacturing needs. As part of its continued operations, and to improve its logistics processes, R-RMC requires an increase in manufacturing space to meet manufacturing needs and remain responsive to an evolving market. The proposed expansion would potentially generate additional employment opportunities and further contribute to the local and wider economy, thus helping to strengthen Chichester's economic outlook at a time of national economic uncertainty. R-RMC has made previous representations through the Local Plan process seeking recognition of the importance of this expansion and is pleased that the Council acknowledges these needs through the inclusion of draft Policy A21.

The National Planning Policy Framework (NPPF) has sustainable development at its heart, including economic components. Moreover, paragraph 81-85 make it clear that supporting economic growth and competitiveness is of great importance in the planning system.

As part of these representations, R-RMC has prepared a report demonstrating the suitability, availability and achievability of the proposed expansion site. The report highlights R-RMC's commitment to delivering an expansion within the Plan period, with a suite of technical assessments already undertaken and progress being made towards submission of a planning application later this year. The report, which should be read in conjunction with these representations, demonstrates that the site is in a suitable and sustainable location for development and that there are no significant constraints that would preclude development. R-RMC is confident that, through its emerging proposals, there exists an opportunity to provide development sensitively and with an enhanced landscape setting to satisfy the requirements of the draft policy.

Notwithstanding the above, R-RMC suggest the Policy is improved and made clearer by replacing 'safeguard' with 'allocate' the land for employment development. It is acknowledged that, at earlier stages of the Local Plan process, there was more limited detail available regarding the scope, extent and timescales for delivering an expansion, and it was appropriate at the time to consider the site for safeguarding for future needs. However, as outlined above and in the submitted report, R-RMC is developing its emerging proposals, has undertaken a series of technical assessments and intends to submit a planning application in 2023 (and certainly prior to the adoption of the new Local Plan). The Council can therefore be satisfied that there is more certainty regarding the intention to progress with an expansion of R-RMC Goodwood, certainly within the next five years.

Based on this, we suggest that there is an opportunity to reflect this position through an amendment to draft Policy A21. It is understood that the employment development is 'not included in the [Plan's] employment figures as it relates specifically to future operational needs for Rolls-Royce rather than to the broader employment requirement identified in the HEDNA'. However, the site has been tested through the Local Plan process and is considered through the HELAA and the wider Local Plan evidence base (e.g., the SA the Chichester Transport Study). It has been tested the same as an allocation and it would provide greater clarity and consistency to describe it as such. Notwithstanding this, it is also recognised that the policy as set out does not prevent R-RMC coming forward with its proposals subject to meeting the stated criteria.

In summary R-RMC supports draft Policy A21 but suggests it is amended to 'allocate' the site to ensure that the policy is fully effective and sound.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** R-RMC Goodwood Expansion Site - Policy A21 Report 17.03.23 Final.pdf - <https://chichester.oc2.uk/a/s7v>

## Object

**Document Element:** Policy A21 Land east of Rolls Royce

**Respondent:** Rolls-Royce Motor Cars Limited [8018]

**Agent:** David Lock Associates (Rukaiya Umaru, Senior Planner/Surveyor) [8016]

**Summary:**

R-RMC supports draft Policy A21 but suggests it is amended to 'allocate' the site to ensure that the policy is fully effective and sound. This reflects the fact that there is further certainty around R-RMC's expansion plans. R-RMC is developing its emerging proposals, has undertaken a series of technical assessments and intends to submit a planning application in 2023 (and certainly prior to the adoption of the new Local Plan). The Council can therefore be satisfied that there is more certainty regarding the intention to progress with an expansion of R-RMC Goodwood, certainly within the next five years.

**Full text:**

Rolls-Royce Motor Cars (R-RMC) is highly supportive of the inclusion of Land East of Rolls-Royce (Policy A21) as a site for R-RMC to deliver its vision for the strategic expansion of the existing headquarters of R-RMC at Goodwood (R-RMC Goodwood). R-RMC considers the policy is sound in principle, but one minor modification is suggested to provide greater clarity.

**Justification for Policy A21**

As a prestigious global manufacturer of luxury motor cars and a major employer within Chichester District, R-RMC's proposed expansion would signify a considerable investment into the local, district and wider UK economy.

Since its arrival in 2003, the Goodwood facility has expanded incrementally and now fully utilises the capacity of the existing site for its manufacturing needs. As part of its continued operations, and to improve its logistics processes, R-RMC requires an increase in manufacturing space to meet manufacturing needs and remain responsive to an evolving market. The proposed expansion would potentially generate additional employment opportunities and further contribute to the local and wider economy, thus helping to strengthen Chichester's economic outlook at a time of national economic uncertainty. R-RMC has made previous representations through the Local Plan process seeking recognition of the importance of this expansion and is pleased that the Council acknowledges these needs through the inclusion of draft Policy A21.

The National Planning Policy Framework (NPPF) has sustainable development at its heart, including economic components. Moreover, paragraph 81-85 make it clear that supporting economic growth and competitiveness is of great importance in the planning system.

As part of these representations, R-RMC has prepared a report demonstrating the suitability, availability and achievability of the proposed expansion site. The report highlights R-RMC's commitment to delivering an expansion within the Plan period, with a suite of technical assessments already undertaken and progress being made towards submission of a planning application later this year. The report, which should be read in conjunction with these representations, demonstrates that the site is in a suitable and sustainable location for development and that there are no significant constraints that would preclude development. R-RMC is confident that, through its emerging proposals, there exists an opportunity to provide development sensitively and with an enhanced landscape setting to satisfy the requirements of the draft policy.

Notwithstanding the above, R-RMC suggest the Policy is improved and made clearer by replacing 'safeguard' with 'allocate' the land for employment development. It is acknowledged that, at earlier stages of the Local Plan process, there was more limited detail available regarding the scope, extent and timescales for delivering an expansion, and it was appropriate at the time to consider the site for safeguarding for future needs. However, as outlined above and in the submitted report, R-RMC is developing its emerging proposals, has undertaken a series of technical assessments and intends to submit a planning application in 2023 (and certainly prior to the adoption of the new Local Plan). The Council can therefore be satisfied that there is more certainty regarding the intention to progress with an expansion of R-RMC Goodwood, certainly within the next five years.

Based on this, we suggest that there is an opportunity to reflect this position through an amendment to draft Policy A21. It is understood that the employment development is 'not included in the [Plan's] employment figures as it relates specifically to future operational needs for Rolls-Royce rather than to the broader employment requirement identified in the HEDNA'. However, the site has been tested through the Local Plan process and is considered through the HELAA and the wider Local Plan evidence base (e.g., the SA the Chichester Transport Study). It has been tested the same as an allocation and it would provide greater clarity and consistency to describe it as such. Notwithstanding this, it is also recognised that the policy as set out does not prevent R-RMC coming forward with its proposals subject to meeting the stated criteria.

In summary R-RMC supports draft Policy A21 but suggests it is amended to 'allocate' the site to ensure that the policy is fully effective and sound.

**Change suggested by respondent:**

Suggests policy is improved and made clearer by replacing 'safeguard' with 'allocate' the land for employment development.

**Legally compliant:** Not specified

**Sound:** No

**Comply with duty:** Not specified

**Attachments:** R-RMC Goodwood Expansion Site - Policy A21 Report 17.03.23 Final.pdf - <https://chichester.oc2.uk/a/s7v>

## Support

**Document Element:** Policy A21 Land east of Rolls Royce

**Respondent:** GoVia Thameslink Railway (Nigel Searle) [8197]

**Summary:**

Support; provided employment development in conjunction with other strategic sites in the area provide continuous, direct, safe, attractive, comfortable walking and cycling routes to residential areas and Chichester Railway station, and arrangement made with Rolls Royce to share and expand the staff bus scheme so that employees have no need to use a car.

**Full text:**

See attached.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester District Council local plan.docx - <https://chichester.oc2.uk/a/spx>

**Document Element:** Policy A21 Land east of Rolls Royce

**Respondent:** Forestry Commission (Richard Cobb) [8202]

**Summary:**

Forestry Commission provides advice, does not support or object.

This area contains areas of existing trees, hedgerow and woodland which are not currently mentioned by the policy. We would encourage any development to be sensitive to this and provide additional planting where possible.

**Full text:**

Please note that as a Non-Ministerial Government Department, we provide no opinion supporting or objecting to planning applications or local plans including their soundness or legal compliance.

Rather we are including advice and information that we advise the Council consider to ensure their pre-submission local plan avoids potential impacts and promote enhancements/expansion as part of the proposed local plan regarding trees and woodland, including ancient woodland. We acknowledge that the purpose of Regulation 19 consultations does not usually extend to making substantial changes which are not related to soundness so we offer our advice as helpful guidance to ensure the local plan takes every opportunity to secure the protection, enhancement and expansion of Chichester's valuable trees and woodlands to comply with planning policy, good practice and to make the most of the many benefits they provide to the environment, local economy and community.

**Overall Comments**

Ancient woodlands, veteran and ancient trees are irreplaceable habitats, and it is essential that they are considered appropriately to avoid any direct or indirect effects that could cause their loss or deterioration, in line with Government Standing Advice. Ancient Woodland has very high potential ecological value and should act as integral focal points, alongside other locally and nationally designated sites, as part of delivering landscape scale nature recovery.

Any development or plan that include these irreplaceable habitats on or near to the site should aim to deliver high standards of net gains and ecological connectivity that supports wider ecological networks, in line with good practice. This will also be a requirement as part of the local nature recovery strategies being driven by the Environment Act 2021 and we advise that plans should anticipate this to maximise environmental benefits to contribute to reversing the national trend of ecological decline as part of broader nature recovery networks. The Local Plan should be considered as a crucial and timely opportunity to secure significant and strategic, plan-led environmental gains due to their scope and scale, particularly given the timescales of development being influenced that coincide with UK Government commitments regarding halving emissions and protecting 30% of nature by 2030, towards a net-zero carbon and nature positive economy.

The development strategy should prioritise the protection of trees and woodlands with the highest priority being given to ancient woodland, ancient and veteran trees as individual habitats and as part of wider ecological networks.

**Site Allocation comments:**

**Policy A7 Land at Shopwyke (Oving Parish)**

Site specific considerations could recognise the existing trees, hedgerows and woodland and prioritise their protection, enhancement and expansion as part of biodiversity net gains. Acoustic screening referred to could also use trees to make the most of multi-functional benefits they bring.

**Policy A8 Land East of Chichester**

We welcome efforts to bolster the existing woodland and the proposed strategic wildlife corridor to the East and the enhancements that development could bring.

**Policy A11 Highgrove Farm, Bosham**

Bolster planting to North, South and East is welcome. This policy could be improved by requiring bolster planting to the West as well, where there appears to be an existing line of trees, making it well placed to further contribute to wider connectivity with existing and additional planting.

**Policy A12 Chidham and Hambrook and Policy A13 Southbourne Broad Location for Development**

We note that more detailed proposals will emerge as part of a Neighbourhood plans. We would like to highlight that this area contains some parcels of ancient woodland which is an irreplaceable and high priority habitat according to the NPPF and Government Policy (see attached Annex and below for more guidance on this). The policy could be improved by highlighting its importance and high priority as part of efforts to protect, enhance, expand and connect habitats as part of a wider ecological network and the strategic wildlife corridor. Developments within this area could contribute pockets of woodland and linear planting to help connect existing trees and woodland as part of a mosaic of habitats throughout the wildlife corridor and wider area. The requirement to ensure development does not have an adverse impact on the strategic wildlife corridor is also welcome but could be strengthened by requiring developments to significantly contribute to its enhancement, expansion and connectivity including with green infrastructure provided by development

**Policy A14 Land West of Tangmere**

The requirement for significant levels of green infrastructure is welcome. This policy could be strengthened by requiring development to retain and bolster existing hedgerows and trees wherever possible.

**Policy A16 Goodwood Motor Circuit and Airfield and Policy A17 Development within the vicinity of Goodwood Motor Circuit and Airfield**

This policy could be improved by recognising the significant amount of ancient woodland and non-ancient woodland to North of the area. We would encourage any development in the area to protect, enhance and expand the woodland in the area as part of delivering net gains.

**Policy A21 Land east of Rolls Royce**

This area contains areas of existing trees, hedgerow and woodland which are not currently mentioned by the policy. We would encourage any development to be sensitive to this and provide additional planting where possible.

**Overarching comments**

We would welcome the consideration of incorporating large and small pockets of multi-functional woodland as part of green infrastructure provision for development, particularly given the relatively low proportion of woodland found throughout the District, and the benefits this can have as 'stepping stones' between habitats as part of the Local Plan's welcome vision of strategic wildlife corridors.

We also encourage the Council to appraise the plan against the following advice to maximise the benefits from protection, enhancement and expansion of woodlands, trees and connectivity throughout the District:

**Additional improvements to consider**

- Tree/hedgerow removal is considered as a last resort but where it is justified, we advise that developments can aim to deliver no net deforestation to

help encourage development that provides an overall environmental gain. In where trees are required to be removed, additional tree planting will be made to compensate for this loss and we would advise that additional planting should be made to help compensate for the loss of habitat in the time it takes for new trees to mature.

- Long term management and maintenance of planted trees and woodland creation to give them every chance to becoming established and where trees do fail, they are replaced
- A minimum standard for tree canopy cover for new developments (e.g. for large-scale developments) as it provides a targetable level of green infrastructure in relation to trees for the numerous ecosystem services they provide.
- Precautions should be incorporated into any woodland design and tree planting to ensure that habitat creation is established successfully and that potential impacts from deer are managed on site and in the surrounding area as appropriate. See here for further guidance that should be followed for managing impacts from deer as part of woodland creation and tree planting: <https://www.gov.uk/government/publications/woodland-creation-and-mitigating-the-impacts-of-deer/woodland-creation-and-mitigating-the-impacts-of-deer> Some good practice advice is also provided in Appendix 1 of this letter.
- We advise that any tree planting should meet the following:
  - o Trees should be healthy and good practice biosecurity should be followed to prevent the risk of spreading pests and disease, in line with Government advice: <https://www.gov.uk/government/collections/tree-pests-and-diseases>. More information on the plant healthy can be found at: Welcome to Plant Healthy - Plant Healthy
  - o Created or restored habitat should be managed in perpetuity in line with a robust management plan that follows good practice to ensure assumed benefits of created habitats are delivered in practice (see Standing Advice referred to on page 1). We recommend meeting the UK Forestry Standard to demonstrate this.
- To help mitigate climate and support local economy would urge council to develop local plan policy that makes use of locally sourced timber. This has multiple benefits as it can help store carbon within development, reduce impact from transportation, reduce embodied carbon from alternative materials and support local economies and communities.
- Where developments incorporate District Heating, consider locally and sustainably sourced wood-fuels for the benefits this can have for renewable energy and towards a local, circular economy
- Use tree planting as part of nature based solutions for managing flood risk as well as other multi-functional benefits from green infrastructure as part of any development (e.g. Trees and woodlands provide £400 million of value in flood protection)
- We encourage the Council to refine their strategy to trees and woodlands using the recently launched 'Trees and Woodland Strategy Toolkit' available here: <https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/> to design and deliver a local tree strategy to harness the long-term benefits that trees can bring to local communities. The local plan should be developed with tree/woodlands in mind as an integral part, alongside other supplementary strategies for the environment including biodiversity, green infrastructure, nature recovery and climate change.

Key guidance regarding trees, woodland and development

Ancient woodlands, ancient trees and veteran trees are irreplaceable habitats. Paragraph 180(c) of the NPPF sets out that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. In considering the impacts of the development on Ancient Woodland, Ancient and Veteran trees, the planning authority should consider direct and indirect impacts resulting from both construction and operational phases.

Please refer to Natural England and Forestry Commission joint Standing Advice for Ancient Woodland and Ancient and Veteran Trees, updated in January 2022. The Standing Advice can be a material consideration for planning decisions, and contains advice and guidance on assessing the effects of development, and how to avoid and mitigate impacts. It also includes an Assessment Guide which can help planners assess the impact of the proposed development on ancient woodland or ancient and veteran trees in line with the NPPF.

Existing trees should be retained wherever possible, and opportunities should be taken to incorporate trees into development. Trees and woodlands provide multiple benefits to society such as storing carbon, regulating temperatures, strengthening flood resilience and reducing noise and air pollution.[1] Paragraph 131 of the NPPF seeks to ensure new streets are tree lined, that opportunities should be taken to incorporate trees elsewhere in developments, and that existing trees are retained wherever possible. Appropriate measures should be in place to secure the long-term maintenance of newly planted trees. The Forestry Commission may be able to give further support in developing appropriate conditions in relation to woodland creation, management or mitigation.

Biodiversity Net Gain (BNG): Paragraph 174(d) of the NPPF sets out that planning (policies and) decisions should minimise impacts on and provide net gains for biodiversity. Paragraph 180(d) encourages development design to integrate opportunities to improve biodiversity, especially where this can secure net gains for biodiversity. A requirement for most development to deliver a minimum of 10% BNG is expected to become mandatory from November 2023. The planning authority should consider the wide range of benefits trees, hedgerows and woodlands provide as part of delivering good practice biodiversity net gain requirements. Losses of irreplaceable or very high distinctiveness habitat cannot adequately be accounted for through BNG.

Change suggested by respondent:

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Forestry Commission Planning Guidance Annex 1.pdf - <https://chichester.oc2.uk/a/t5r>

## Object

**Document Element:** Appendix C: Additional Guidance

**Respondent:** Church Commissioners for England [1858]

**Agent:** Lichfields (Tara Johnston, Planner) [7506]

### Summary:

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use.

### Full text:

We write in response to the above consultation on behalf of our client, the Church Commissioners for England (CCE). CCE owns a large amount of land in the area largely to the south, west and east of Chichester.

We welcome the opportunity to further engage with the Local Plan process. Whilst we support some aspects of the Local Plan, we consider that some changes are likely to be necessary to ensure that the Plan can be found sound.

By way of background, CCE submitted several sites for consideration as part of the Housing Economic Land Availability Assessment (HELAA) in 2021.

These sites were previously promoted as part of the Preferred Approach Local Plan Regulation 18 Consultation in 2019.

As part of these representations, we take the opportunity to re-promote a number of CCE's sites, which could assist the Council in delivering much needed housing for the district. CCE has updated its technical work and provide Vision Documents in relation to its landholdings in Southbourne, Oving, and Hunston Parishes to demonstrate how additional housing can be delivered. These Vision Documents are enclosed.

We consider this and other aspects of the emerging Local Plan below.

## Chapter 2: Vision & Strategic Objectives

The Local Plan Vision details a positive approach to supporting sustainable development in the context of the climate emergency. CCE welcomes the Vision for Chichester, particularly the importance placed on the delivery of new homes in 'Objective 3' and the delivery of new infrastructure to support the new development in 'Objective 7'.

## Chapter 3: Spatial Strategy and Settlement Hierarchy

The Spatial Strategy builds on the previous Local Plan by focussing growth on Chichester city as the main sub-regional centre. Outside Chichester city and its closest settlements, development will focus on the two settlement hubs within the east-west corridor at Tangmere and Southbourne. This approach is supported by CCE.

### Policy S1 Spatial Development Strategy

Draft Policy S1 (Spatial Development Strategy) identifies the broad approach to providing sustainable development in the plan area, which includes ensuring that new residential development is distributed in line with the settlement hierarchy, with a greater proportion of development in the larger and more sustainable settlements. We support this strategy, with particular support for development at the settlement hubs of Southbourne (Policy A13) and Tangmere (Policy A14). We also support that provision is made for extant Site Allocations and the Tangmere strategic site remains allocated under draft Policy A14.

Policy A14 continues to allocate Land West of Tangmere for 1,300 dwellings. CCE questions the Council's decision to not amend the existing settlement boundary of Tangmere to include the land subject to the allocation. Without amending the settlement boundary, the future growth of Tangmere may be hindered. As such, the settlement boundary of Tangmere should be amended to include the allocated site to ensure that the plan is justified.

Draft Policy S1 also refers to development in service villages such as Bosham, Hambrook and Loxwood.

Hunston is excluded from the Spatial Strategy but is identified as a Service Village within the Settlement Hierarchy in draft Policy SP2 (Settlement Hierarchy). The draft Local Plan suggests that the allocation of homes in Hunston has been removed as a result of growth in the Manhood Peninsula. CCE acknowledges that the overall housing numbers across the district have been reduced as a result of local constraints but reiterates that their landholding in Hunston remains a suitable site for housing should the Council need to identify more land for housing. This is discussed further below.

### Policy S2 Settlement Hierarchy

As stated in paragraph 3.31 of the draft local plan, 'The NPPF encourages housing delivery where it will enhance or maintain the vitality of rural communities'. Paragraph 79 of the NPPF (2021) states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

CCE owns substantial land holdings in South Mundham, which is in close proximity to North Mundham/Runcton which is defined as a Service Village. As such, whilst South Mundham does not contain any services, development in the hamlet would enable sustainable growth to support facilities in North Mundham and Runcton. To ensure that the draft plan is consistent with national policy, South Mundham should be considered as part of North Mundham as a Service Village when considering the future pairing/grouping of some settlements where the facilities and services could be shared to capitalise on the close connections some settlements have.

Development outside the settlements listed in the hierarchy in SP2 is restricted to proposals which require a countryside location or meet an essential local rural local need or supports rural diversification in accordance with Policy NE10. To this end, CCE has smaller land holdings in Tangmere, Oving, South Mundham, Birdham, Chidham and Sidlesham, which may be suitable for conversion for residential use or via windfall housing. Location plans for each of the sites can be found in Appendices 1-8.

## Chapter 4: Climate Change and the Natural Environment

### Policy NE4 Strategic Wildlife Corridors

The East of City strategic wildlife corridor has been relocated to the eastern side of proposed Site Allocation A8 (Land to the East of Chichester). The relocation of this wildlife corridor follows additional evidence that shows that the commuting route for Barbastelle Bats is along Drayton Lane.

CCE owns land to the east of Drayton Lane (immediately adjacent to the wildlife corridor and to the east of draft allocation A8) and surrounding the village of Oving. Its land has been identified in the HELAA (2021) as being developable, including site HOV0017 (Drayton Lane). The land east of Drayton Lane is sustainably located being close to Chichester and its amenities. The site provides an opportunity to sensitively and sustainably provide additional homes for the District. In accordance with Draft Policy NE4, the proposals for the Land East of Drayton Lane will not have an adverse impact on the integrity and function of the wildlife corridor and will not undermine the connectivity and ecological value of the corridor. This Vision Document will be shared under separate cover.

The eastern edge of the relocated wildlife corridor encroaches into CCE land. Any proposal on this land would be required to take the statutory protection for bats and other protected species into consideration and managed as part of a sensitive masterplan for development and on this basis, it is considered unnecessary to extend the wildlife corridor to encroach into the CCE site.

It is also considered that the detail of policy NE4 goes beyond the purpose of the policy, which should be to safeguard wildlife rich habitats and wider ecological networks. The policy is clear that development should only be permitted where it would not create an adverse effect upon the ecological value, function, integrity and connectivity of the corridors. It does not resist development in principle. This therefore makes redundant policy text 1, which seeks to introduce a sequential test for preferable sites outside of a wildlife corridor. It is considered that this test conflicts with the underlying purpose of the policy, which is to safeguard wildlife corridors from harmful impacts that cannot be mitigated, and should therefore be deleted.

### Policy NE7 Development and Disturbance of Birds

CCE is broadly supportive of Policy NE7. However, they would like to note that the situation regarding the national guidance on nutrient neutrality is still evolving and therefore, this policy is only relevant to current legislation. Policy NE7 may therefore not be relevant throughout the entirety of the plan period. As such, CCE considers that it is necessary in this instance to ensure that an appropriate reference to changing legislation is included within the policy to prevent it from becoming out of date and would also ensure that the policy remains effective once adopted.



## Policy NE10 The Countryside

CCE is supportive of the inclusion of a policy referencing the conversion of existing buildings in the countryside, however, we believe that Policy NE10 is not consistent with national policy. Policy NE10 criteria B states that proposals for the conversion of buildings in the countryside will be permitted where 'it has been demonstrated that economic and community uses have been considered before residential, with residential uses only permitted if economic and community uses are shown to be inappropriate and unviable'. This policy is not in accordance with Paragraph 152 of the NPPF (2021) which states that the reuse of existing resources should be encouraged, including 'the conversion of existing buildings'. Under paragraph 152, there is no prerequisite to adopt a sequential approach, or to give preference to other uses. As such, criteria B should be omitted from Policy NE10. Reference to criteria B should also be removed from criteria C.

## Chapter 5: Housing

### Policy H1 Meeting Housing Needs

The Preferred Approach Local Plan was based on meeting the identified objectively assessed housing needs of the plan area of 638 dwellings per annum. However, due to constraints, particularly the capacity of the A27, the Submission Version of the Local Plan has planned for a housing requirement below the need derived from the standard method. The Plan proposes to deliver 535 dpa in the southern plan area and a further 40 dpa in the northern plan area, a total supply of 10,350 dwellings over the plan period from 2021 – 2039 (575 dpa).

The Planning Inspectorate has previously asked the Council to determine what level of housing could be achieved based on deliverable improvements to the A27 and to consider whether the full housing needs could be met another way. It is acknowledged that the Council has carried out the additional work required and the local constraints have resulted in a proposed lower housing requirement.

The NPPF (2021) confirms that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach (para. 61). CCE acknowledges that that housing numbers have been reduced as a result of local constraints and it will be down to the Inspector to determine whether the Council's exceptional circumstances justify this. Should the Planning Inspector find that the Council requires additional land to meet the housing need using the standard method, CCE's land at Southbourne, Oving, Drayton Land and Hunston are suitable, available and developable for housing. In addition, CCE's rural development sites could also contribute to meeting the housing need.

### Policy H2 Strategic Allocations

Draft Policy H2 confirms that the Tangmere Strategic Development Location is carried forward from the 2015 Local Plan and this is supported by CCE. Strong support is also given for the Broad Location of Development in Southbourne (Policy A13) for up to 1,050 dwellings.

### Policy H5 Housing Mix

Draft Policy H5 confirms that the housing mix for a development will be based on the most up to date HEDNA to address identified local needs and market demands. We suggest that the Council considers a range of criteria, including site characteristics, when determining the housing mix for individual sites and this should be reflected in wording of Policy H5.

### Policy H7 Rural and First Homes Exception Sites

Draft Policy H7 relates to rural and first homes exception sites. CCE is supportive of the principle of the inclusion of a rural exceptions policy. However, we have concerns over criteria contained within the policy which limits the amount of development that can be delivered under it.

The NPPF (2021) at paragraph 78 states that planning policies and decisions should be responsive to local circumstances and support housing development that reflect local needs. Furthermore it also states that 'local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs'.

The key aspect of the policy is to enable the delivery of rural exception sites which would address an identified local need. Within the policy, there is no limit on the amount of development that can be delivered and therefore, it is considered that if Policy H7 is limited to a maximum of 30 dwellings it could serve to hinder development (especially on slightly larger sites), which would otherwise be sustainable. As such, we consider that the amount of development should not be limited and rather should be dictated on a site and need specific basis. CCE considers that for Policy H7 to be positively prepared and in accordance with National Policy, criteria 2 should be removed.

In addition, criteria 6 states that proposals for affordable housing on rural exception sites will only be supported where 'the site is located adjacent or as close as possible to the existing settlement boundary and does not result in scattered or isolated development in rural areas'. The NPPF (2021) does not specify the location of rural exception sites. As such, to be consistent with national policy, criteria 6 should also be omitted.

Furthermore, Policy H7 states that 'applications for first homes exception sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence...'

However, in the policy there is no allowance for the provision of market housing on rural exception sites in addition to first homes exception sites. As a result of this, the requirements of the policy are again not consistent with national policy. Paragraph 78 of the NPPF (2021) is supportive of 'some market housing' where it would facilitate the delivery of rural exception sites. As such, CCE considers that Policy H7 should be amended as follows:

'Applications for rural and first homes exceptions sites that propose the inclusion of a small proportion of market housing will be expected to provide robust evidence that the site would be unviable without such housing being included'.

### Policy H8 Specialist Accommodation

Draft Policy H8 confirms that all housing sites over 200 units, including those allocated in this plan, will be required to provide specialist accommodation for older people with a support or care component. We request that this policy is amended to add 'where appropriate and viable', acknowledging that viability and site-specific factors need to be taken into consideration.

## Chapter 6: Place-making

### Policy P3 Density

We support the objective of Draft Policy P3 (Density) to make the most efficient use of land and follow a design led approach to achieve the optimum density for a site. The Policy does not prescribe an appropriate density for the District and this is supported. However, we consider that reference should be made to the fact that density may vary depending upon site specific circumstances and could be higher where transport links and access to services is good.

## Chapter 7: Employment and Economy

## Policy E3 and E4 Horticultural Development

Chapter 7 of the draft Local Plan confirms that 67 hectares of land is identified to meet the future horticultural land need within four Horticultural Development Areas (HDAs) over the plan period. It is confirmed that an additional 137 hectares of horticultural land is also forecast to be required outside of HDAs to meet future need.

CCE has significant landholdings which could assist the Council in addressing the insufficient availability within the current HDAs. The CCE sites which are considered suitable for horticulture development are listed below and location plans for each of the sites can be found in Appendices 9-13.

- Somerley Farm, NE East Wittering, PO20 7JB
- Fisher Farm, South Mundham, PO20 1ND
- Church & Haise Farm, Sidlesham
- Cowdry Farm, Birdham
- Groves Farm, nr Merston, PO20 2DX / Colworth Manor Farm PO20 2DU.

CCE supports draft Policy E3 which confirms that “approximately 137 hectares of land is also needed outside of HDAs to meet anticipated horticultural and ancillary development land need for the plan period.” Support is also given for draft Policy E4 in relation to land outside HDAs. This Policy confirms that proposals for horticultural development can come forward outside the HDAs, subject to a set of criteria. We would welcome continued discussion with the Council on how these sites could help meet the districts horticultural needs in the future.

## Chapter 10: Strategic and Area Based Policies

CCE supports Chichester District Council’s proposal to allocate additional land for housing at Southbourne and to maintain the existing allocation at Tangmere. We also consider that CCE’s land at Hunston and Oving could assist the Council in meeting its housing needs, should additional housing be required. We consider these opportunities in turn below.

### Policy A13 Southbourne Broad Location for Development

CCE supports draft Policy A13 and the allocation of a Broad Location for Development in Southbourne for a mixed-use form of development including 1,050 dwellings.

CCE has significant landholdings around Southbourne which is suitable, available and developable. The land to the north and west of Southbourne measures 70ha and is wholly within CCE’s control. The land adjoins the existing settlement and provides an opportunity for a sustainable extension to Southbourne with the potential to deliver c. 1,200 homes for the village, as well as employment, community uses and a significant amount of new public space and green open space. A new Vision Document is enclosed which explains one way in which this opportunity could be realised. Importantly, it is considered that there are no technical impediments that would prevent development from coming forward on this site.

This site has been promoted throughout the Southbourne Neighbourhood Plan process, most recently in the December 2022 consultation. The new Vision Document demonstrates that the CCE site presents the opportunity to provide a comprehensive development that would contain strategic housing growth, significant areas of green infrastructure and open space in a sustainable location. The key access strategy for the site is to provide two new access points from the south A259 Main Road and the east Stein Road. These access points would connect to a spine road which would form a continuous vehicle route around the north-western edge of Southbourne.

The site almost entirely comprises a Secondary Support Area under the Solent Waders and Brent Goose Strategy (SWBGS), which aims to protect the network of non-designated terrestrial wader and brent goose sites that support the Solent Special Protection Areas (SPA) from land take and recreational pressure associated with new development. Due to the designation of the site, discussion was undertaken with the Hampshire and Isle of Wight Wildlife Trust with a view to determine a suitable approach for the scheme and an appropriate survey effort to establish the use of the site by designated birds. As a result of these discussions, wintering bird surveys are taking place. The aim of these surveys is to explore opportunities for mitigation for this SWBGS support area such that development within the red line can proceed without adverse impacts to the bird populations noted within this strategy. Following the survey, the results and approach will be presented to Natural England for further discussion.

In relation to viability, we note that Policy A13 sets several policy objectives for development at Southbourne. The NPPF (2021) notes that where there are up-to-date policies which have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable (para. 58). With this in mind the policy objectives outlined within Policy A13 will require viability testing to be undertaken to ensure a policy compliant scheme is both viable and deliverable. This is necessary to ensure that the policy is sound.

The Policy suggests that employment opportunities are required to be delivered as part of the allocation but there is no specific reference to the amount of use required. CCE supports this proposed approach as it is sufficiently flexible to enable an amount of employment land to be proposed in response to market conditions at the appropriate time and this will help to support delivery of the allocation.

The scale of development proposed has been reduced from 1,250 to 1,050 dwellings to reflect the proportionate reduction in housing numbers across the parishes in the east west corridor as a consequence of the limit on numbers in the southern plan area. If the Inspector finds that additional housing is required, the Vision Document submitted demonstrates that the CCE site in Southbourne could deliver c. 1,200 homes and so could increase housing without needing to identify additional land for development elsewhere.

To summarise, the site could accommodate approximately 1,200 homes which could be delivered on a phased basis early in the plan period. There are no overriding physical or technical constraints that would act as an impediment to development. There is also a clear access arrangement proposed.

### Policy A14 Land West of Tangmere

CCE supports that Policy A14 is carried forward into this Local Plan to facilitate the delivery of a residential-led development of at least 1,300 dwellings.

#### Additional sites

##### Hunston

CCE further promotes land (15.31ha) located east of the B2145 Selsey Road in Hunston for 240 new homes. The land is deliverable and is fully within CCE’s control. The site is highly accessible, located within a maximum of 5-6 minutes walking distance to Selsey Road, where several bus routes connect the village to Chichester.

CCE notes that the Council assessed the HELAA site (ref. HHN0016) as ‘developable’. A Vision Document has previously been prepared and submitted to demonstrate the commitment to it being brought forward for residential development within the plan period. This document is enclosed.

To address the Council’s concerns in relation to flooding, following publication of the Chichester Strategic Flood Risk Assessment (SFRA), we have prepared an updated Flood Risk Scoping Study which provides an overview of flood risk constraints across the site from a range of sources. Various

mitigation measures are recommended in line with recommendations of the Chichester SFRA and prevailing local and national guidance and best practice. With these measures in place, it is likely that the flood risk could be managed effectively in accordance with the requirements of the NPPF. Detailed data has also been requested from the Environment Agency, which will feed into further technical work that is being carried out.

Should the Inspector conclude that additional housing is required, CCE considers that their site is the most appropriate and sustainable location for development in Hunston. The site provides an opportunity to sensitively and sustainably extend the existing village boundary to provide additional homes to meet an identified housing need.

#### Land East of Drayton Lane

CCE owns land to the east of Drayton Lane which is bound by Tangmere Road to the north and crosses Oving Road and the railway line to the south. The site is c.1km from the centre of Chichester and comprises 49ha. The site was assessed in the HELAA 2021 as developable 'HOV0017'. A Vision Document has been prepared and was presented to the Council in 2022. This includes a detailed analysis of the site and its surroundings and provided justification as to why the site is suitable for development. This technical review of the site concludes there are no technical impediments to development.

The Vision Document demonstrates how the proposals for the land east of Drayton Lane could be developed as an extension to the draft allocation A8 (Land to the east of Chichester) for up to 700 new homes. The land east of Drayton Lane is fully within the CCE's control, is available for development now and is deliverable with some development achievable within the first five years of the plan period. It represents an opportunity to provide new homes, facilities and significant community benefits, through a sensitively designed development that integrates into the surrounding landscape.

The Vision for this site is a landscape and ecology led masterplan which would celebrate the rich wildlife characters of the different surrounding landscapes and uses the connection between countryside and community to generate its character and identity. The Vision Document demonstrates that this is a suitable location for development.

Should the Inspector conclude that additional housing is required, CCE considers that the land east of Drayton Lane would form a natural extension to allocation A8 and is an appropriate and sustainable location for new development.

#### Appendix C Additional Guidance

Appendix C provides additional guidance on evidence which needs to be submitted in support of certain planning applications related mainly to development in the countryside. As mentioned in the comments above provided in response to Policy NE10, there is no prerequisite contained within the NPPF (2021) that requires an applicant to demonstrate that previous uses were proven unviable prior to the conversion of a building in the countryside to residential use. As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

#### Conclusion

CCE welcomes the opportunity to comment on the Local Plan and is keen to continue to engage with the Council, especially in relation to the Broad Location for Development in Southbourne. CCE is supportive of the Council's aspirations in the Local Plan. However, the changes set out above are considered likely to be necessary to ensure the plan is sound.

CCE is a considerable landowner in Chichester with land largely to the south, west and east of Chichester which could assist the Council in meeting their housing and development needs throughout the plan period.

See attachments for site information.

#### Change suggested by respondent:

As such, to be in accordance with national policy, reference to Policy NE10 should be omitted from Appendix C.

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** Chichester Local Plan Regulation 19 Representations -redacted - <https://chichester.oc2.uk/a/snh>  
 D2654\_R001\_Southbourne\_Vision Document REV F (LR, Spread) - <https://chichester.oc2.uk/a/t6r>  
 East of Drayton Lane Vision Document - <https://chichester.oc2.uk/a/t6s>  
 Hunston - Flood Risk Scoping Study - <https://chichester.oc2.uk/a/t6t>  
 Hunston Vision Document - <https://chichester.oc2.uk/a/t63>  
 Land at Oving Vision Document - <https://chichester.oc2.uk/a/t64>

**Document Element:** Appendix E: Housing trajectory

**Respondent:** Wates Developments and Seaward Properties [8052]

**Agent:** Barton Willmore now Stantec (Mr Oli Haydon) [8051]

**Summary:**

There is a need within the emerging plan to secure new allocation sites to commence early in the plan period and the earlier delivery of Southbourne will help relieve pressure arising from the anticipated delivery of both Tangmere SDL and West of Chichester SDL, both expected to commence in 2027/2028 and both of which have experienced substantial delays to their preparation to date.

**Full text:**

'Proposed Submission' Local Plan Appendix E – Housing Trajectory

Appendix E outlines the indicative housing trajectory for the plan period 2021-2039. The trajectory for delivery of the development in Southbourne has construction commencing in earnest in 2028/2029. Subject to the adoption of the plan within the anticipated timescales and the subsequent early preparation and adoption of a Site Allocations DPD (or neighbourhood plan), alongside the timely determination of planning applications / conditions, we envisage delivery of units on land east of Southbourne to instead commence from 2027/2028. There is a need within the emerging plan to secure new allocation sites to commence early in the plan period and this earlier delivery will help relieve pressure arising from the anticipated delivery of both Tangmere SDL and West of Chichester SDL, both expected to commence in 2027/2028 and both of which have experienced substantial delays to their preparation to date.

**Change suggested by respondent:**

-

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** None

## Object

**Document Element:** Appendix E: Housing trajectory

**Respondent:** Beechcroft Developments Limited [8188]

**Agent:** Genesis Town Planning Ltd (Mr Jeremy Farrelly, Director of Planning) [7504]

**Summary:**

Object on grounds that supply will change by time of examination and existence of 5YLS and plan period supply will depend upon housing requirement found to be necessary at examination; trajectories for many individual sites do not accord with those in supporting evidence of 5YHLS Position Statement; no evidence to explain why trajectories in Statement have been amended or new sites introduced within Appendix; no clear evidence that completions will be achieved within 5 years for sites with outline or which are allocated; trajectory contains numerous unallocated sites which gained planning permission after base-date of assessment or have yet to gain planning permission - cannot be included in deliverable supply according to appeal decisions.

**Full text:**

See attachments.

**Change suggested by respondent:**

5YLS position that is likely to exist at point of adoption will need to be assessed in accordance with national policy. Normal practice to undertake this assessment prior to adoption to ensure there is a prospect that such a supply will be able to be demonstrated contingent upon the ever-changing deliverability of sites and final conclusions on the housing requirement.

**Legally compliant:** No

**Sound:** No

**Comply with duty:** No

**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp5>

Appendix 1 - Representations on Housing Requirement and Supply - <https://chichester.oc2.uk/a/sp6>

Appendix 2 - Statement of Representations - A27 Mitigation Contributions - <https://chichester.oc2.uk/a/sp7>

## Object

**Document Element:** Appendix F: Monitoring framework

**Respondent:** Sussex Wildlife Trust (Laura Brook) [7654]

**Summary:**

SWT suggests that the monitoring framework as presented doesn't clearly indicate the monitoring requirement for each policy. As a result, SWT feels it fails to capture some important information to inform the effectiveness of the policies. For example, policy NE5 Biodiversity and Biodiversity Net Gain does not appear to have a monitoring requirement that will capture the percentage of net gain delivered by applications. Given that the Environment Act will bring in mandatory net gain of a minimum of 10% by November 2023, we feel it would be remiss of CDC to miss capturing the effectiveness of their policy against national mandatory requirements. It might also help to build a picture of the feasibility of exceeding that minimum requirement.

We also highlight that Sussex Wildlife Trust is listed as a responsible agency/partner. Can we ask CDC to clarify our role in that? It may be that an amendment is required to more specifically reference the role of the Sussex Biodiversity Record Centre rather than SWT.

**Full text:**

See attached representation.

**Change suggested by respondent:**

Propose an additional monitoring indicator of;

- Number of planning applications delivering a BNG in excess of 10%

**Legally compliant:** Not specified

**Sound:** Not specified

**Comply with duty:** Not specified

**Attachments:** SWT Response F-Chichester Reg 19 - <https://chichester.oc2.uk/a/sfd>

## Object

**Document Element:** Appendix F: Monitoring framework

**Respondent:** National Highways (Mr Marius Pieters, Spatial Planning Manager) [8127]

**Summary:**

[National Highways letter dated 24/07/23 confirmed representation should be categorised as Comment - Agree 'in principle' reinforce need for monitoring processes/Seek further information]. We agree 'in principle' to the monitoring methods set out for policies T1 and T2. However, we reinforce our comments regarding the need for establishing monitoring processes and resources (manual or automated) to manage the monitoring regime.

The monitoring for Policy I1 needs to include funding, notably how committed and completed schemes were funded and the percentage of funding from developer contributions, government agencies and/or Council prudential borrowing.

It is critical that the Council, and other key stakeholders, can track how funding was gained (e.g., contributions, borrowing etc) and record this as part updating the IDP

**Full text:**

We have reviewed the publicly available Local Plan documents and provided comments in the attached letter, in relation to the transport implications of the plan for the safety and operation of the SRN.

Our comments include issues to resolve, comments, requests for further information and recommendations. A brief summary of our main comments are:

- the reliance on the delivery of the A27 Chichester bypass improvements project.
- the requirements for new, additional, and adapted processes and assessments, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments.
- collaborative working between agencies in combination with a robust monitor and manage policy.

We hope our comments assist.

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders. We look forward to continuing to participate in future consultations and discussions. Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Background**

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN).

National Highways is responsible for operating, maintaining, and improving the Strategic Road Network (SRN) i.e., the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic Road Network and the delivery of sustainable development).

The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Our responses to Local Plan consultations are guided by relevant policy and guidance including the National Planning Policy Framework (2021) (NPPF):

- Transport issues should be considered from the earliest stages of plan-making and development proposals so that the potential impact of development on transport networks can be addressed (para 104).
- The planning system should actively manage patterns of growth such that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. (para 105).
- Planning policies should be prepared with the active involvement of highways authorities and other transport infrastructure providers so that strategies and investments for supporting sustainable transport and development patterns are aligned. (para 106).
- In terms of identifying the necessity of transport infrastructure, NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. (para 111).

• Planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use. (para 124).

In relation to the tests of soundness set out at paragraph 35 of the NPPF, in the context of transport, these are interpreted as meaning:

- a) Positively prepared - has the transport strategy been prepared with the active involvement of the highway authorities, other transport infrastructure providers and operators and neighbouring councils?
- b) Justified – Is the transport strategy based on a robust evidence base prepared with the agreement in partnership, or with the support of the highway authorities?
- c) Effective – Does the transport strategy and policy satisfy the transport needs of the plan and is it deliverable at a pace which provides for and accommodates the proposed progress and implementation of the plan?
- d) Consistent with national policy – Does the transport strategy support the economic, social, and environmental objectives of the Plan and the NPPF/NPPG?

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN; in this case, the A27 trunk road (Chichester Bypass and its junctions) which is the main access route in the Chichester area. We have particular interest in any allocation, policy or proposals which could have implications for the A27 and the wider SRN network. We are interested as to whether there would be any adverse road safety or operational implications for the SRN. The latter would include a material increase in queueing or delay or reduction in journey time reliability during the construction or operation of the development set out in the plan.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents.

In accordance with national planning and transport policy and our operating licence, we are entirely neutral on the principle of development as it is for the local planning authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport and related implications of plans or proposals and agreeing any necessary transport improvements and relevant development management policy.

In progressing Local Plans, we will seek to agree the following:

- Assessment tools and methodology
- Baseline Assessment i.e., to demonstrate that the assessment tool accurately reflects current transport conditions
- Comparator case assessment i.e., to forecast the transport conditions that would occur in the absence of the plan
- Forecast modelling i.e., to forecast the transport conditions that would arise with the plan in place, this will include an assessment at the end of the Plan period; and, if required, at full build out if that occurs after the end of the Plan period
- Outputs and outcomes of modelling, demonstrating, as appropriate, what transport infrastructure is necessary to support the plan
- o It should be noted that a suite of transport modelling tools may be required. This includes strategic modelling covering an area at least one major junction beyond the district boundary, localised network modelling where several links/junctions are close together and/or individual junction modelling
- o A DMRB (Design Manual for Roads and Bridges) compliancy assessment may also be required for certain highway features, such as Merge/Diverge assessment at Grade separated junctions, link capacity assessments, and others.
- The design of any necessary transport infrastructure, to an extent suitable for establishing deliverability during the plan period at the time that it becomes necessary for the purpose of ensuring that unacceptable road safety impacts or severe operational impacts do not arise as a result of development. This may be to at least General Arrangement design stage or preliminary design stage. Whichever degree of detail is agreed, the products must be in full compliance with the DMRB.
- Industry standard transport intervention costings.
- The delivery/funding mechanisms for necessary transport interventions. It should not be assumed that National Highways will have any responsibility to identify or deliver necessary transport interventions.
- If considered appropriate, a “Monitor & Manage” (M&M) framework, aimed at managing the pace of development in line with the pace of funding and delivery of necessary highway interventions in a manner which responds to the realworld impacts of development may be agreed for inclusion in the plan subject to the adequacy of risk control measures included therein. This can include the move from a ‘predict & provide’ style of delivery to ‘a vision & validate’ style.
- o Any M&M framework must be based on a “worst case scenario” whereby necessary mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. It must be translated into development management plan policy and policy relating to development allocations.

Further detail on the above can be provided by National Highways.

While ideally all the above should be agreed prior to the Submission of the Local Plan for examination, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination at the latest. Ideally the SoCG between the Council and National Highways would be prepared well in advance of plan submission in order to guide resource input and to track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

“Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, new DfT C1/22 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that the associated transport demand can be accommodated without unacceptable impacts on the safety of the SRN or severe impacts on the operation of the SRN including reliability and congestion. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by suitable mitigation in the right places at the right time, that is to the required design standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the then Highways England document ‘The Strategic Road Network, Planning for the Future: A guide to working with National

Highways on planning matters’ (September 2015). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461023/N150227\\_-\\_Highways\\_England\\_Planning\\_Document\\_FINAL-lo.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/461023/N150227_-_Highways_England_Planning_Document_FINAL-lo.pdf)

Responses to Local Plan consultations are also guided by National Planning Policy Framework (NPPF) revised on 20 July 2021 which sets out the government’s planning policies for England and how these are expected to be applied.

## Updated Circular (01/2022)

It should be noted that since the start of the Local Plan consultation process, on the 23 December 2022, the Department for Transport released a new circular on the 'Strategic road network and the delivery of sustainable development' (Circular 01/2022), which replaces all of the policies in Circular 02/2013 of the same name. These representations take account of the new circular and the requirements in terms of the Local Plan evidence base and process.

We request that the Local Plan is prepared in line with all aspects of the new circular. Particularly, the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

## Regulation 18 submission

In our Regulation 18 submission we noted several matters including:

- The need to mitigate the adverse impacts of strategic development traffic to the A27 Chichester Bypass and its junctions at Portfield Roundabout, Bognor Road Roundabout, Whyke Roundabout, Stockbridge Roundabout and Fishbourne Roundabout and Oving junction.
- The need to identify a mechanism to calculate contributions towards the delivery of the previously agreed Local Plan A27 improvements
- The need to confirm the number of dwellings needed within the plan period
- The need to establish National Highways acceptance of the traffic model reference and future case scenarios
- The need to confirm costs, viability, and funding associated with mitigating the safety and congestion impacts of the development included within the plan.

## Local Plan context

This Local Plan (Chichester Local Plan 2021 – 2039), prepared by the Local Planning Authority (LPA) Chichester District Council, sets out the vision for future development in the district and will be used to help decide on planning applications and other planning related decisions including shaping infrastructure investments.

The draft sets out how the district should be developed over the next 18-years to 2039 including for the full Plan period (1 April 2021 to 31 March 2039) the total supply of

- 10,359 dwellings

- 114,652 net additional sqm new floorspace

Minus the completions this is equivalent to around 530 dwellings and 6,150 sqm of floorspace a year.

## National Highways Representations

To date National Highways have worked collaboratively with Chichester District Council (the Council) and West Sussex County Council (WSCC) and we will continue to work with the Council and other key stakeholders.

We have undertaken a review of the Chichester Local Plan 2021-2039 proposed submission version and accompanying evidence documents, our comments are set out in the tables below (following pages). [see table within attachment]

## Summary

We have reviewed the publicly available Local Plan documents and provided comments above in relation to the transport implications of the plan for the safety and operation of the SRN. We understand that other technical information is available, but this was not presented as part of this consultation. Chichester, and the A27, are already heavily congested, infrastructure in the existing Local Plan remains undelivered and the growth set out in the new Plan will further increase travel demand.

As presented, satisfying the transport needs of the plan is clearly reliant on the delivery of the A27 Chichester bypass improvements project. The A27 Chichester bypass improvements project is one of 32 pipeline schemes being considered for possible inclusion in National Highways third Road Investment Strategy (RIS3) covering 1 April 2025 to 31 March 2030.

On 9 March 2023 the UK Transport Secretary ensured record funding would be invested in the country's transport network, sustainably driving growth across the country while managing the pressures of inflation. The announcement cited the A27 Arundel Bypass as being deferred from RIS2 to RIS 3 (covering 2025-2030). The transport secretary also identified a number of challenges to the delivery of the road investment strategy and cited the benefit of allowing extra time to ensure schemes are better planned and efficient schemes can be deployed more effectively.

At present, there is no commitment by DfT to carry out the A27 Chichester bypass improvements project. Until the A27 Chichester bypass improvements project is published in the RIS3, consented and a decision to invest is made it cannot be assumed to be a committed project.

We note that the Plan does not address any uncertainty of delivery of the A27 Chichester bypass improvements project and we strongly recommend that there is either no reliance placed on RIS3 to realise capacity for growth in the Plan or that contingency measures are included to cover the eventuality that RIS3 funding is not forthcoming within the plan period. It is not clear that the potential impact of development on transport networks can be addressed in the absence of the A27 Chichester bypass improvements project.

Achieving net zero, reducing emissions reduction, acting on climate, and supporting thousands of new homes and new employment developments will be problematic with existing processes. New, additional, and adapted processes and assessments will likely be required, especially in assessing Transport Assessments, mandating Travel Plans and monitoring traffic associated with new developments. We acknowledge that change is complex, expensive, and time-consuming, especially for smaller district level Councils. But the hard work will deliver benefits for the Council and residents in the longer-term.

National Highways seeks to continue working with the Council and WSCC to progress coordinated and deliverable packages of interim mitigation measures and alternative transport solutions while a long-term strategic solution is considered by government. This must however be in combination with a robust monitor and manage policy that appropriately manages the risk of unacceptable road impacts resulting from new housing and other development over the Plan period.

We have been in discussion with Chichester District Council regarding their proposed Monitor and Manage Strategy. At present, we do not consider the current strategy to be robust and we seek further information and detail especially on who, when and when monitoring and management will be undertaken. Developments in the right places and served by the right sustainable infrastructure delivered alongside or ahead of occupancy must be a key consideration when planning for growth in all local authority areas. Any M&M framework must be based on a "worst case scenario" whereby necessary transport mitigation is understood, as well as setting out the desired alternative scenario. It must set out details of responsibility, funding and governance of the framework together with the methodology for determining the timing for any mitigation delivery while remaining clear on the fallback position where identified mitigation or desired alternatives are not ultimately achievable. The M&M framework must set out that the alternative to mitigation not being delivered is that development does not proceed where that development would give rise to unacceptable road safety risk or severe cumulative impacts on the road network in the absence of that mitigation. The M&M framework must be translated into development management plan policy and policy relating to development allocations.

As we have reiterated throughout our comments, we welcome the opportunity to work with you to address these outstanding matters and we will continue to liaise over submitted Transport Assessment, Travel Plan policy and Monitor and Manage Policy to help to work towards a viable plan.

We hope our comments assist.

We look forward to continuing to participate in future consultations and discussions. Please do continue to consult us as the Plan progresses so that we can remain aware of, and comment as required on, its contents.

Once you have had the opportunity to digest all the representations received, we would welcome a meeting to run through all the transport related matters and agree how to progress any required evidence gathering or other work.

**Change suggested by respondent:**

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**Legally compliant:** Not specified**Sound:** Not specified**Comply with duty:** Not specified**Attachments:** Written representation - <https://chichester.oc2.uk/a/t6d>

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**Object****Document Element:** Appendix F: Monitoring framework**Respondent:** Kirdford Parish Council [1875]**Agent:** Troy Planning + Design (Troy Hayes, Managing Director) [7640]**Summary:**

Lack of attention and detail given to Monitoring Framework; no introduction to Framework or how it intends to work with authorities and organisations it identifies in Framework; entirely unclear which 'Target to be achieved', 'Monitoring Indicators' and 'Responsible Agency / Partner' relates to each policy; 'Delivery' refers to policy documents, not what would expect when defining how policies will be delivered; for its WRZ monitoring indicator, targets and indicators will not provide an accurate, on-going and up to date assessment of total water usage in the WRZ region after development takes place compared to water usage in the region before development took place; no mention of joint mitigation strategy to ensure water neutrality in WRZ.

**Full text:**

See attachment.

**Change suggested by respondent:**

Entire Monitoring Framework needs a complete rethink and redraft with a view to seriously monitoring the delivery of the Local Plan and genuinely working across administrative boundaries with neighbouring authorities and agencies.

**Legally compliant:** No**Sound:** No**Comply with duty:** No**Attachments:** Written Representation - <https://chichester.oc2.uk/a/sp8>